

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 24 November 2009 at 2.00 pm

County Hall, Oxford, OX11ND



Joanna Simons
Chief Executive

November 2009

Contact Officer: **Sue Whitehead**
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Membership	
<i>Councillors</i>	
Keith R Mitchell CBE	- <i>Leader of the Council</i>
David Robertson	- <i>Deputy Leader of the Council</i>
Jim Couchman	- <i>Cabinet Member for Adult Services</i>
Ian Hudspeth	- <i>Cabinet Member for Growth & Infrastructure</i>
Louise Chapman	- <i>Cabinet Member for Children, Young People & Families</i>
Michael Waine	- <i>Cabinet Member for Schools Improvement</i>
Rodney Rose	- <i>Cabinet Member for Transport Implementation</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer & Stronger Communities</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 2 December 2009 unless called in by that date for review by the appropriate Scrutiny Committee. Copies of this Notice, Agenda and supporting papers are circulated to all Members of the County Council.

Date of next meeting: 15 December 2009

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Section DD of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest** - guidance note opposite
3. **Minutes** (Pages 1 - 8)

To confirm the minutes of the meeting held on 20 October 2009 (**CA3**) and to receive for information any matters arising therefrom.

4. **Questions from County Councillors**

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day before the meeting, ask a question on any matter in respect of the Cabinet's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

5. **Petitions and Public Address**
6. **Financial Monitoring** (Pages 9 - 86)

Cabinet Member: Leader

Forward Plan Ref: 2009/109

Contact: Kathy Wilcox, Principal Financial Manager (01865 323981) Ref: 2009/109

Report by: Assistant Chief Executive & Chief Finance Office (**CA6**)

This is the sixth financial monitoring report for the 2009/10 financial year and covers the period up to the end of September 2009 for both revenue, balances, reserves and capital.

The report sets out explanations where the forecast revenue outturn is significantly different from the budget along with proposals to recover the position where

appropriate. The in – year Directorate forecast is an overspend of £3.484m.

The current position for general balances shows an unchanged forecast of £14.088m. After taking into account the forecast Directorate overspend, the consolidated revenue balances forecast is £10.604m.

The report also includes Capital monitoring against the programme agreed last month.

Cabinet is RECOMMENDED to:

- (a) note the report; and***
- (b) approve the virements as set out in Annex 2a.***

7. European School Culham - Proposal to Replace it with an Academy (Pages 87 - 98)

Cabinet Member: Schools Improvement

Forward Plan Ref: : 2009/199

Contact: Roy Leach, Strategic Lead School Organisation & Planning (01865 816458)

Report by: Director for Children, Young People & Families (**CA7**)

The European School at Culham is currently funded through a grant from the European Union. This grant funding is being phased out and the Department for Children, Schools and Families has agreed with the school's trust that it can be brought into the English maintained sector through replacing it with an academy. The first formal stage of this process is the submission of an 'Expression of Interest' to the Schools Minister for his approval. Although the replacement academy will not be maintained by the County Council, the Council's support for the creation of an academy is sought. If the academy goes ahead, the project management of the delivery of new buildings will be the responsibility of the County Council.

The Cabinet is RECOMMENDED to

- (a) note the contents of the draft Expression of Interest;***
- (b) support the submission of the Expression of Interest as the basis of a proposal to replace the European School, Culham with an academy subject to the financial guarantees detailed in paragraphs 16, 17 and 18; and***
- (c) request officers to bring a further report on the outcomes of consultations undertaken as part of the 'Feasibility Study'.***

8. Reading Transport Innovation Fund (TIF) Bid (Pages 99 - 104)

Cabinet Member; Growth & Infrastructure

Forward Plan Ref: 2009/200

Contact: Owen South, Senior Transport Planner (01865 815735) Ref:

Report by: Head of Transport

The report (**CA8**) updates Cabinet on developments in the Reading Area Transport Innovation Fund (TIF) bid since Cabinet last considered this matter in January 2009 and agreed to participate in ongoing work with Reading Borough Council and other neighbouring local authorities.

It describes proposals for a Low Emission Zone in Reading, which includes an element of charging. It also describes proposed partnership arrangements.

It seeks a decision on whether or not Oxfordshire County Council should enter in to a Partnership Agreement with Reading Borough Council, other neighbouring authorities and the Department for Transport. If so, a further decision is required on which of three levels of partnership status is appropriate.

The Cabinet is RECOMMENDED:

- (a) to agree in principle that Oxfordshire County Council can participate in the Reading Area Transport Innovation Fund (TIF) scheme as a Level 2 Programme Partner;**
- (b) to make clear to the other local authorities and the Department for Transport that this is conditional on their agreement that the various elements of the programme, and the bridge specifically, can only go ahead with the agreement of the local authorities in whose areas these are located; and**
- (c) to authorise the Cabinet Member for Growth and Infrastructure to sign the partnership agreement subject to the agreement in (ii) above and to legal and financial advice.**

9. Oxfordshire County Council Parking Policy (Pages 105 - 230)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2009/090

Contact: Pat Higgins, Group Manager, Traffic Enforcement Tel: (01865) 814022

Report by Head of Transport (**CA9**)

Oxfordshire County Council has been undertaking parking enforcement in the city of Oxford since 1997, initially under the Traffic Regulation Act 1991 and, since March 2008, under the Traffic Management Act 2004.

During this time policies and working practices have been developed from experience and from best practice drawn from other local authorities also undertaking Civil Parking Enforcement. These were the subject of a report to the delegated decisions session of the Cabinet Member for Transport on 24th April 2008.

It is intended that West Oxfordshire District Council will be the first District within the County that will undertake Civil Parking Enforcement under an agency agreement. Oxfordshire County Council, as the highways authority, is required to make an application to the Department for Transport to create a Civil Parking Area which will enable civil enforcement of the various parking regulations in the District of West Oxfordshire to be undertaken.

As part of this application to the Department for Transport Oxfordshire County Council is expected to have in place a comprehensive parking policy document indicating how various aspects of the Traffic Management Act 2004 will be implemented and enforced.

The attached draft policy document is designed to fulfil this requirement. It contains an enforcement procedures section which will also serve to standardise the enforcement practices throughout the County as and when Civil Parking Enforcement is introduced.

Cabinet is RECOMMENDED to approve the Parking Policy Document for use throughout those parts of the County where Civil Parking Enforcement is undertaken.

10. Appointments to Outside Bodies (Pages 231 - 254)

Cabinet Member: Leader

Forward Plan Ref: 2009/108

Contact: Sue Whitehead, Committee Services Manager Tel: (01865) 810262

Report by the Assistant Head of Legal & Democratic Services (CA10)

The report details specific appointments requiring the formal approval of Cabinet, seeks endorsement of an advice note for members and reports on indemnity and insurance issues for members on outside bodies. It seeks approval to the arrangements for strategic partnership Cabinet Member appointments.

Cabinet is RECOMMENDED to:

- (a) agree the procedure for considering appointments to strategic partnerships as set out in the report;***
- (b) agree specific appointments as set out in paragraph 4 above;***
- (c) endorse the advice note for councillors serving on outside bodies for issuing to all members appointed to outside bodies; and,***
- (d) delegate authority to the Monitoring Officer to put in place appropriate indemnity and insurance to enable members to undertake their functions.***

11. Forward Plan and Future Business (Pages 255 - 256)

Cabinet Member: All

Contact Officer: Sue Whitehead, Committee Services Manager (01865 810262)

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include “updating of the Forward Plan and proposals for business to be conducted at the following meeting”. Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA11**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity to identify any further changes they would wish to be incorporated in the next Forward Plan update.

The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.

12. Delegated Powers of the Chief Executive (Pages 257 - 258)

Cabinet Member: Leader

Forward Plan Ref: 2009/146

Contact: Sue Whitehead, Democratic Services (01865 810262)

Report by: Assistant Head of Legal & Democratic Services

Schedule attached (**CA12**) reporting on a quarterly basis any executive decisions taken by the Chief Executive under the specific powers and functions delegated to her under the terms of the schedule to Section L of the Council's Constitution - Paragraph 1(A)(c)(i)

Please note that this not for scrutiny call in.

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CABINET

MINUTES of the meeting held on Tuesday, 20 October 2009 commencing at 2.00 pm and finishing at 3.45 pm

Present:

Voting Members: Councillor Keith R. Mitchell CBE – in the Chair
Councillor David Robertson (Deputy Chairman)
Councillor Louise Chapman
Councillor Jim Couchman
Councillor Mrs J. Heathcoat
Councillor Ian Hudspeth
Councillor Michael Waine
Councillor Rodney Rose

Other Members in Attendance: Councillor Seale (Item 5),
Councillor Skolar (Item 5)
Councillor Hannaby (Item 5)
Councillor M. Altaf-Khan (Item 8)
Councillor Alan Armitage (Item 9)
Councillor Jean Fooks (Item 10)

Officers:

Whole of meeting Graham Warrington (Legal & Democratic Services)

Part of meeting

Agenda Item	Officer Attending
5	Director for Social & Community Services and Steve Thomas Sue Talbot (Care Quality Commission)
6	Kathy Wilcox (Financial Planning)
7	Lorna Baxter (Financial Planning) and Roy Leach
8	(Children, Young People & Families)
9	Barbara Chillman (Children, Young People & Families)
10	Neil Monaghan and Mark Tailby (Environment & Economy)
11	Alexandra Bailey (Corporate Core)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting, and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

100/09 MINUTES

(Agenda Item. 3)

The minutes of the meetings held on 7 September 2009 and 15 September 2009 were both approved and signed subject to the following agreed amendment to Minute 85/09 (paragraph 4) of the 15 September minutes:

“Councillor Waine replied that (i) the ‘Readiness to Deliver’ document was quite clear regarding Transformation Strategy and he proceeded to read out the relevant part of the document.....”

101/09 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 4)

The following requests to address the meeting had been agreed:

Speaker	Item
Councillor Altaf-Khan (Shadow Cabinet Member for Schools Improvement)	8. St Nicholas CE Primary School
Councillor Armitage (Shadow Cabinet Member for Finance & Property)	9. Property Portfolio
Councillor Fooks (Deputy Leader of the Opposition)	10. Q1 Performance Management

102/09 QUESTIONS FROM COUNCILLORS

(Agenda Item.)

Councillor Fooks had given notice of the following question to the Deputy Leader of the Council:

“The recent move of CYP&F to County Hall was marred by lack of training of staff in how to use the ICT and new telephone system. Was adequate provision made for the training needed by these staff? How does the training budget of Oxfordshire County Council compare with the training budgets of other local authorities?”

Councillor Robertson:

The recent move of CYP&F staff to County Hall had taken place as part of the County Council's Better Offices Programme with a package of help and support provided for such moves - including IT and telephony. This had proved to be very effective in previous office moves. The CYP&F relocation

had unearthed some additional IT and telephony needs and these had been quickly identified and measures put in place to address them. Providing an ICT help desk in the County Hall reception area was one example - affording some 1 on 1 support to individuals requiring it.

With regard to the Council's training budget, there was a clear and robust Learning & Development (L&D) planning process in place which captured and addressed L&D needs across the whole organisation and prioritised delivery of appropriate solutions to meet those needs. This included investment in ICT training. Our training budget benchmarked well against other local authorities and rated above average in the latest Chartered Institute of Personnel & Development (CIPD) survey.

Supplementary Question:

Was the Deputy Leader aware of problems of calls not being put through because of the overuse of voice mail.

Councillor Robertson: if that was common practice he shared that concern and would discuss with relevant officers how those problems could be addressed. He would let have Councillor Fooks have a full written response.

103/09 ADULT SOCIAL CARE INSPECTION

(Agenda Item. 5)

Sue Talbot from the Care Quality Commission presented the findings of the recent Independence, Wellbeing and Choice Inspection of social care services.

Mrs Talbot outlined the role of the Commission as the independent regulator of all health and adult social care in England making sure that high quality health and social care was provided for everyone, whether that's in hospital, in care homes, in people's own homes, or elsewhere.

The Commission concluded that with regard to;

Safeguarding adults

Oxfordshire was performing adequately.

Improving health and wellbeing for older people

Oxfordshire was performing well.

Increased choice and control for older people

Oxfordshire was performing well.

Capacity to improve

Promising.

The Lead Inspector and Area Manager would now jointly monitor progress over the coming months with a formal review of progress against the action plan scheduled for 6 months (mid April). Interim reports of progress would also be shared.

Also attending were three members of the Adult Services Scrutiny Committee - Councillor Seale (Chairman), Councillor Skolar and Councillor Hannaby.

Councillor Seale asked what Oxfordshire could do to ensure that the authority was moving in the right direction particularly as the numbers of safeguarded people was increasing.

Mrs Talbot advised that Oxfordshire had the key building blocks in place and that would be important in taking performance forward. She suggested the need to address duplication levels.

Recognising that partnership working was the way forward Councillor Skolar suggested that as Oxfordshire was the lead authority in the region it would be difficult to take that any further forward.

Mrs Talbot suggested the need to assess gaps regarding safe discharge of patients.

Councillor Hannaby mentioned the importance of adequate monitoring

The Director for Social & Community Services felt the inspection had been very useful with a sound methodology which would help drive Oxfordshire's performance forward. Oxfordshire now needed to plan to improve services based on this report and its recommendations.

Congratulating County Council staff on their work Councillor Chapman highlighted the importance of monitoring progress and proposed that the report be noted with a further report on the formal review of progress to be submitted to the Cabinet in 6 months.

104/09 FINANCIAL MONITORING - OCTOBER 2009

(Agenda Item. 6)

The Cabinet received the fifth financial monitoring report for 2009/10 financial year covering the period up to the end of August 2009 and noted the figure £439.0m in line 9 of paragraph 37 should have read £439K.

Councillor Mitchell highlighted that there were few variations from previous months. There were still significant overspends in place and the County Council faced difficult times to meet its commitments. He moved the recommendations.

Councillor Chapman advised that she would be undertaking a review of out of county placements.

Councillor Robertson complimented staff on progress made with regard to the Home to School Transport budget .

RESOLVED:

- (a) note the report CA6;
- (b) approve the virements as set out in Annex 2a to the report CA6;
- (c) note the updated transfer of excess inflation to the Efficiency Savings Reserve (paragraph 38 of the report CA6);
- (d) approve the request for £0.078m added to balances earlier this year to be removed to fund the transport capital programme (paragraph 40 of the report CA6) and
- (e) approve the updated capital programme included at Annex 7 to the report CA6.

105/09 BUILDING SCHOOLS FOR THE FUTURE

(Agenda Item. 7)

Building Schools for the Future (BSF) was a substantial national investment programme intended to transform secondary school education with the potential to deliver in the region of £600m of capital investment to Oxfordshire's schools. Cabinet considered a report (CA7) providing an up to date account of progress made towards securing entry to the national BSF programme, describing the next steps to be taken and identifying a number of financial challenges which the Council and its schools will need to address.

The following amendment to paragraph 29 was noted:

Line 4 £3.4m to read £4.4m and that the shortfall would occur over 2 years – 2014/15 and 2015/16 - and not just the first year (2014/15) as stated in the report.

Councillor Waine called for all schools to commit to this initiative and stressed the need to achieve a BREEAM level of 'very good' as an absolute minimum moving to excellent. He also confirmed that sprinkler systems were provided in extensive/new build projects but confirmed that it was not always feasible to provide those systems where less extensive programmes of work were being undertaken.

RESOLVED:

- (a) confirm the Cabinet's commitment to the BSF programme;
- (b) confirm that the Cabinet wished officers to continue to seek to have Oxfordshire brought into the national BSF programme as soon as possible and fully engage with all relevant stakeholders and partners;
- (c) confirm that, unless or until such time as the requirements change, the Cabinet understood that the default model for the delivery of BSF was through a Local Education Partnership unless otherwise agreed with DCSF and Partnership for Schools subject to value for money consideration; and
- (d) acknowledge that, under the current regime, new schools delivered through the BSF programme would be predominately procured through PFI and that refurbishments would be procured through capital grant.

106/09 ST NICHOLAS CE PRIMARY SCHOOL, MARSTON

(Agenda Item. 8)

Cabinet considered a report (CA8) setting out a proposal to increase the school admission number at St Nicholas CE Primary School, Marston from 45 to 60 following an informal consultation in the Marston area and a decision was now required as to whether or not to proceed to issuing a statutory notice to expand the school.

Councillor Altaf-Khan supported expansion but highlighted a number of issues regarding traffic and highway repairs and called for an investigation into the admission process in other schools in order to relieve pressure on St Nicholas School.

Councillor Waine welcomed Councillor Altaf Khan's comments regarding expansion at the school but added that pressure points for placements were not always places where numbers could be increased. He had no objection in principle to the proposal but also referred to a number of issues including traffic levels, highway repair and provision of a new entrance off Marston Road. Investigations were ongoing into the first two but provision of an additional entrance was contrary to policy. There were also financial implications attached to the capital works should the proposals be approved which would need to be the subject of a future report.

Councillor Rose added that he would be happy to consider provision of a pedestrian crossing but much of the road repair work would need to be undertaken by the City Council as a Section 42 responsibility.

RESOLVED: to approve the publication of a statutory notice for the expansion of St Nicholas CE Primary School, Marston

107/09 REPORT ON THE PROPERTY PORTFOLIO

(Agenda Item. 9)

Cabinet considered (CE9) the annual report detailing the Council's property portfolio from April 2008 to March 2009.

Councillor Armitage raised particular concern regarding poor performance regarding lowering carbon dioxide emissions. Extreme weather conditions should be included within the parameters for these targets and should not be used as an excuse when performance was not achieved. He urged the Cabinet to instruct operating divisions to prioritise this work.

Councillor Waine highlighted the anomaly which existed in schools where every effort was made to reduce emissions yet there was an expectation to increase usage of IT.

RESOLVED: to note the report CA9

108/09 QUARTER 1 PERFORMANCE MANAGEMENT: APRIL - JUNE 2009

(Agenda Item. 10)

Cabinet considered (CA10) the performance report for Q1 2009/10 covering the four key areas of customer, projects, finance and people.

Councillor Fooks felt the report was interesting but lacked detail. Highlighting a number of areas which needed attention such as appraisals, safeguarding children, high number of children permanently excluded and roads and footways she expressed particular concern regarding carbon dioxide emissions.

Councillor Robertson advised that the report contained a number of annual red targets which would not be reflected in Q1 and referred to the tremendous amount of work going on to achieve a uniformed approach between County Directorates and develop a performance culture throughout the County Council. He moved the recommendations.

RESOLVED: to note the report

109/09 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 11)

Cabinet considered a list of items (CA11) for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in schedule of addenda.

RESOLVED: to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing 2009

Division(s): NA

CABINET – 24 NOVEMBER 2009

FINANCIAL MONITORING

Report by the Assistant Chief Executive & Chief Finance Officer

Introduction

1. This report sets out the Council's forecast financial position half way through the 2009/10 financial year based on six months of actuals to the end of September 2009. It includes projections for revenue, balances, reserves and capital. The report sets out explanations where the forecast revenue outturn is significantly different from the budget along with proposals to recover the position where appropriate.
2. The total in – year Directorate forecast is an overspend of £3.484m or 0.93% of the latest budget.

Original Budget 2009/10 £m		Latest Budget 2009/10 £m	Forecast Outturn 2009/10 £m	Variance Forecast Sept 2009 £m ¹	Variance Forecast Sept 2009 % ¹
98.277	Children, Young People & Families	97.441	98.349	+0.908	+0.93%
166.800	Social & Community Services	167.136	168.000	+0.864	+0.52%
68.631	Environment & Economy	69.871	70.001	+0.130	+0.19%
29.908	Community Safety & Shared Services	30.699	30.511	-0.188	-0.61%
9.426	Corporate Core	10.007	11.777	+1.770	+17.69%
373.042	In year Directorate total	375.154	378.638	+3.484	+0.93%

Plus: City Schools Reorganisation		0.775	
Plus: Reallocation of Dedicated Schools Grant (see paragraph 15)		3.322	
Total Variation		+7.581	

3. The current position for general balances is set out in Annex 5 and shows a forecast unchanged at £14.088m. After taking into account the forecast Directorate overspend, the consolidated revenue balances forecast is £10.604m. ²

¹ The variance has been calculated as the difference between the latest budget and forecast outturn. The percentage is a measure of variance to latest budget.

² The consolidated revenue balances forecast is the forecast general balances less the forecast Directorate in-year overspend.

4. Figures for each Directorate are summarised within the Annexes and individual Directorate reports setting out the detail have been placed in the Members' Resource Centre.

5. The following Annexes are attached:

Annex 1 (a-f)	Forecast Revenue Outturn by Directorate
Annex 2 (a-c)	Virements and Supplementary Estimates
Annex 3 (a-b)	Specific grants monitoring
Annex 4	Forecast earmarked reserves
Annex 5	Forecast general balances
Annex 6	Activity Monitoring
Annex 7	Treasury Management Lending List
Annex 8 (a-g)	Capital monitoring

Part 1 - Revenue

6. The forecast revenue outturn by Directorate based on the position to the end of September 2009 is set out below. Significant issues or movement in the variances are commented on below along with the management action being taken.

Children Young People & Families: £0.908m or 0.93% in-year Directorate overspend (£5.005m total overspend including £0.775m relating the City Schools Reorganisation and £0.729m on services funded by DSG. A further £2.593m DSG has been reallocated to services otherwise funded by the Council). The variations by Service Area shown below are net of the DSG reallocation.

Young People & Access to Education

7. The total forecast overspend in Young People & Access to Education is now £0.371m. The reduction since last month relates to the forecast overspend on services to disabled children which has reduced by £0.114m to £0.310m. As reported last month there is forecast income shortfall of £0.185m as a result of an increased number of Oxfordshire pupils meaning fewer out of county pupils using Oxfordshire services.

Children and Families

8. The forecast overspend across Children & Families is £3.904m. This has reduced by £0.496m since the previous report. The Placement budget remains the most significant area of overspending within the Directorate with a forecast pressure of £2.284m, a decrease of £0.196m from last month. Subject to approval some of the expenditure could be offset by £0.523m unallocated carry forward from 2008/09.
9. The forecast overspend on Asylum Seekers has reduced by £0.300m to £1.895m, as a result of revised assumptions about the grant income. This includes an overspend of £1.049m brought forward from 2008/09. The forecast still assumes that £1.000m of the expenditure will be funded from the

reserve created at the end of 2008/09 for anticipated future pressures. A formal request to approve this will be made once the position on grant funding is clearer. The Council is still awaiting notification about whether the 2008/09 Special Circumstances claim of £0.455m has been successful. Work is continuing to assess the full impact of changes to the grant methodology and an update will be provided in future reports.

10. The Directorate has drawn up an action plan to mitigate the pressures on the Placements budget. Updates will be provided in future reports along with requests for virements to offset the overspends against underspends elsewhere.

Raising Achievement Service (RAS)

11. The Raising Achievement Service is now reporting a nil variance. It has previously been reported that of the £1.835m School Development Grant (the former Council element of what was the Standards Fund), £0.630m is expected to be unspent as the programme of work that this was funding has now come to an end. Given the position for the directorate as a whole it is prudent to assume that this underspend will be required to offset other eligible pressures that meet Local Area Agreement priorities.

Commissioning, Performance & Quality Assurance (CPQA)

12. The total underspend for CPQA has reduced by £0.585m from -£1.359m last month to -£0.774m. Within the total, Home to School Transport is now projected to underspend by -£1.020m.
13. The Children's Information & Integration Programme (ChIIP) which will provide improved information about the children in our care, is projecting an overspend of £0.408m associated with ongoing project costs and Framework-i support. In addition, funding streams have ceased and grant funding has significantly reduced.

Dedicated Schools Grant (DSG) Funded Services

14. The total overspend on DSG funded services is now £0.729m. Out of County Placements is forecast to overspend by £0.275m, a reduction of £0.156m since the last report due to additional hospital and special recoupment income relating to eight new cases in year, and additional cases and fee variations. Nursery Education Funding (NEF) is still projected to overspend by £0.454m due to higher numbers of 3 and 4 year olds, together with the full time offer for all children in their final foundation stage year in the private, voluntary and independent sector.
15. The allocation of DSG across non – school services has now been reviewed. The purpose of this review was to reallocate DSG funding to core areas to release local authority base budget funding that can be used to reduce the directorate's overspend position. The total available now totals £3.322m, an increase of £0.901m. The increase since last month reflects revisions to contingency budgets and changes to reflect part year effects of committed projects, and has been used to reduce the in - year Directorate overspend.

£0.978m of the total is one – off carry forward from 2008/09. Virements to reallocate the DSG will be requested in a future report.

Social & Community Services: £0.864m overspend

16. Social & Community Services are forecasting an overspend of £0.864m against a budget of £167.136m, a variation of +0.52%.

Community Services

17. Within Community Services the forecast overspend for Adult Learning has increased from £0.253m to £0.354m. As reported previously radical changes in the Service are required as part of a four year action plan to balance the service to the funding available and repay supplementary estimates of £0.181m. Redundancy costs of £0.101m have now been included in the forecast. These have increased the predicted overspend in Year 1 of the action plan to £0.471m, but this will be reduced to £0.354m by the use of the service's remaining reserves of £0.117m. The plan is being monitored monthly and will be adjusted as necessary to ensure the delivery of a balanced budget.

Adult Social Care

18. The total overspend in Adult Social Care has reduced by £0.447m to £0.435m since the last report and an action plan to balance this by year end is in place.
19. A key target with Adult Social Care is to reduce delayed transfers of care and reduce waiting lists. To achieve this additional staff have been employed resulting in an overspend of £0.527m. As part of the Action Plan efficiencies are required to reduce the overspend. Of £0.207m sought, £0.148m has already been identified and the forecast overspend has reduced by this amount since last month.
20. As reported last month there is pressure of £0.428m in Learning Disabilities Internal Services. This includes a likely underachievement of income of £0.287m based on income received to date in 2009/10.
21. Additional older people residential client income of -£0.401m is forecast and is largely unchanged since last month. The forecast underspend for Services for all Client Groups has increased by -£0.153m to -£0.301m.
22. There is not expected to be any expenditure relating to Section 117 Reassessments in 2009/10. The underspend will be used to offset pressures elsewhere in the service.

Pooled Budgets

Older People, Physical Disabilities & Equipment Pool

23. The forecast outturn on the Older People's and Physical Disabilities' Pooled Budget is an overspend of £4.902m, an increase of £0.245m since last month. This takes account of the use of the Older People Pooled Budget Reserve of

£1.130m created in 2008/09 to fund the extra commitments in 2009/10 resulting from the Continuing Care Framework and additional placements. The budget has been adjusted to take account of a reduction in the inflation provision on salary budgets because of a lower than anticipated pay award and additional funding provided by the Primary Care Trust (PCT) in relation to carers.

24. The Oxfordshire County Council (OCC) element of the Pool is forecast to overspend by £1.940m, an increase of £0.263m from last month. This reflects an increase in the External Home Support costs associated with an increase in client numbers and the costs of medication only visits. The number of External Home Support clients has been increasing and as at September 2009 there were 1,711 clients. Based on an average of 7.5hrs per client per week the budget can accommodate 1,360 clients.
25. Action has been taken to review higher cost Home Support packages and procurement strategies to control the number of additional hours purchased each week through the implementation of a quota system with a view to reducing the overspend by the end of the year.

Latest Budget		Forecast Variance September 2009			Forecast Variance August 2009	Change in Variance
2009/10 £m		OP £m	PD £m	Total £m	Total £m	Total £m
89.846	OCC Elements Forecast in-year variance	1.424	0.516	1.940	1.677	0.263
24.880	PCT elements Forecast in-year variance	1.238	1.149	2.387	2.387	0
114.726	Total Older People & Physical Disabilities	2.662	1.665	4.327	4.064	0.263
1.658	Equipment Pool	0.575		0.575	0.593	-0.018
116.384	Total - Older People, Physical Disabilities & Equipment Pool	3.237	1.665	4.902	4.657	0.245

26. The forecast overspend on the PCT element of the pool reflects the year end position which they are planning to achieve in relation to Continuing Health Care. This takes account of the expected reduction in numbers resulting from the on-going reviews of clients currently qualifying for Continuing Health Care and reductions in the number of new placements. The PCT is responsible for

any financial risk arising and the forecast will be monitored monthly to take account of the actual activity levels.

27. No assessment has yet been made of the possible impact in 2009/10 on the Council elements of the pool of the withdrawal of Continuing Health Care funding from clients who may then qualify for social care funding.
28. An overspend of £0.575m is forecast on equipment. Further work has been commissioned to identify the reasons for this over spend and to develop an action plan to reduce the level of overspending.

Learning Disabilities Pool

29. The Learning Disabilities Pooled Budget is currently forecasting an overspend of £0.687m, a decrease of £0.045m from the previous report. Further efficiency savings are to be made during the year which will partially offset the cost of any additional panel decisions with a view to bringing the pooled budget into balance by year end.

Environment & Economy: £0.130m overspend

30. The overall Directorate position is a forecast overspend of £0.130m (or 0.19% of the latest budget). This has decreased by -£0.422m since September.
31. The net overspend position across Transport is £0.325m. This is largely unchanged since last month.
32. The underspend in Sustainable Development has increased by -£0.152m to -£0.619m. As reflected in the activity monitoring data in Annex 8, the total waste forecast is 7% less than budgeted. In addition the proportion of waste landfilled is 53% compared to the target of 58%, whilst the amount recycled is 47% compared to the target of 42%. The resulting saving relating to tonnage activities is -£0.407m. Further savings of -£0.280m are expected for procurement efficiencies whilst additional costs of £0.220m are expected for the extended waste treatment contract.
33. If landfill continues to reduce as predicted, the £0.695m budget set aside for the purchase of Landfill Allowance Trading Scheme (LATS) allowances will not be needed. In light of the directorate position later in the year, consideration will be given to transferring this underspend to the Waste Management general reserve to contribute to the funding package required to support the business case for an additional recycling centre in Oxford City.
34. The forecast overspend within Property Services has reduced by £0.278m to £0.302m. As reported last month the net overspend includes a pressure of £0.342m relating to the Better Offices Programme. This is a corporate rather than directorate specific pressure so a supplementary estimate will be considered later in the year in light of the position at that time. The treatment of this pressure will not set a precedent for the future.

35. The decrease since last month reflects the confirmation of rental income and expenditure and slippage of some rental payments into 2010/11.

Community Safety & Shared Services: -£0.188m underspend

36. Community Safety is forecasting an underspend of -£0.188m, or -0.61%, compared to an overspend of £0.040 last month.
37. The remaining Shared Services savings of £0.422m are expected to be delivered by the end of 2009/10, with the full year effect of these savings included in 2010/11. The cash flow forecast is unchanged and shows the full business case being delivered nine months later than originally planned. This is expected to improve as the year progresses.
38. The Shared Services project received a loan of £4.2m from the capital programme to provide funding in the early years of the project before the savings were delivered. This loan needs to be repaid in full in 2010/11 but the current cash flow forecast shows that only £2.8m will be available next year. Options for paying back the balance by March 2011 are being considered.
39. A one off budget of £0.250m is available to cover the cost of implementing International Financial Reporting Standards, a project spanning two financial years. Approximately £0.150m will be spent in 2009/10 and the remaining £0.100m will be required next year for completion of the project.
40. School meal sales figures for Food with Thought from April to September were 9.7% higher than the equivalent period last year and meal costs were below budget. QCS Cleaning Services is currently forecast to break-even.

Corporate Core: £1.770m overspend

41. Corporate Core is forecasting an overspend of £1.770m compared to a nil variance last month.
42. The last report noted that there were significant pressures in the ICT budget. It is now clear that these cannot be contained and that the service will report a significant overspend this year. The current forecast is £1.75m and includes an overspend of £0.4m against the Oxfordshire Community Network (OCN) budget and is due to growth in demand and increased line rental costs. The remainder of the overspend has arisen from the high volume of project work, in particular the Government Connect programme, Better Offices Programme and the SAP upgrade.
43. Action is being taken to reduce costs, stop unfunded projects and maximise income from recharging. The level of saving that will be achieved this year will depend on how quickly the action plan can be implemented. Progress will be reported monthly. The plan includes reductions in staff numbers which could result in redundancy costs if staff cannot be redeployed. These costs are not included in the forecast.

44. Any underspends reported by other services within Corporate Core will be used to help offset the ICT overspend.
45. It is expected that £1.668m of the £1.862m Change Fund will be spent in 2009/10. £0.651m of that relates to the Lead Oxfordshire Project.

Virements and Supplementary Estimates

46. The virements requested this month are detailed in Annex 2a with virements previously approved in Annex 2b and 2c and temporary virements to note in Annex 2d. Annex 2e shows the cumulative total virements to date and their status in respect of requiring Council approval where over £0.5m.
47. Permanent virements within the Raising Achievement Service in CYP&F total £2.2m. These virements represent a restructure of staffing budgets in preparation for the Directorate Financial Restructuring exercise that comes into effect from April 2010. They do not reflect a change in policy so they do not require Council approval.
48. Virements within Early Years relate to the creation of budgets for Children's Centres at Blackbird Leys and Bicester. Although they do not change the bottom line they significantly change the income and expenditure totals for the service area.
49. There are also two virements larger than £0.500m within Social & Community Services (Annex 1b). These relate to adjustments to more accurately reflect the management of the services and do not change service provision.

Grants Monitoring

50. Annex 3a and 3b set out the movement on specific grants since the original estimate, along with a forecast of the grant funded expenditure in year. Annex 3c details the Area Based Grant.

Activity Monitoring

51. Continuing the approach taken in 2008/09, activity and unit costs will be monitored every six months in 2009/10 and will focus on areas of high risk and where over/under spends are likely to occur. Annex 6 sets out the areas being monitored.
52. It is estimated that 286,465 tonnes of waste will be disposed of and of that less will be landfilled and more recycled than budgeted as noted in paragraph 32. This total forecast is -41,930 tonnes less than budgeted and is consistent with the trends in waste nationally.
53. The activity data for Social & Community Services reflects the pressures shown within Social Care for Adults, with an upward trend in the number of clients receiving home care support. In addition to this there is a significant increase in the number of full cost clients thus impacting the average weekly charge per full cost client.

54. In Home to School Transport there is a variation in the number of mainstream pupils using the service compared to those budgeted for, 12,874 compared to 13,044. The unit cost for SEN transport is also lower than expected at the start of the year, £4,680 compared to £5,262. Both of these variances are consistent with the underspend position being reported in paragraph 12.

Strategic Measures

55. The average cash balance during September 2009 was £200.9m and the average rate of return was 0.92%.
56. The Treasury Management lending list is included at Annex 7. Sumitomo Mitsui Banking Corporation Europe Ltd and Sumito Trust and Banking Co Ltd have been removed from the list, whilst Oversea – Chinese Banking Corp have been added to the list with a lending limit of £22m. The limit for Credit Industriel Et Commercial (CiC) has been increased to £15m.

Part – 2 Balance Sheet

Reserves

57. Annex 4 shows the forecast movement on earmarked reserves.
58. £0.439m Local Authority Business Growth Incentive Grant noted within last months report has now been received.
59. As agreed previously, and also shown as virements to note in Annex 2d, excess 2009/10 pay inflation totalling £0.693m has been removed from Directorate budgets and is now shown in the Efficiency Savings Reserve increasing the total held to £1.880m.

Balances

60. Annex 5 sets out the current position for general balances taking into account known changes. Total balances were £14.088m at the end of September, with the position unchanged from the end of August.

Part 3 – Capital Programme and Monitoring

Capital Monitoring

61. The capital monitoring position set out in detail in Annex 8, shows forecast expenditure of £91.7m for 2009/10 (excluding schools). This is a decrease of -£1.1m when compared to the latest capital programme approved by Cabinet in October 2009. £0.9m of this decrease is related to savings made in project delivery across the capital programme. The savings will either reduce the deficit position on the programme or help fund other schemes. The table below summarises the variations by directorate.

Directorate	Latest Capital Programme Budget (Approved October 2009 Position as at end of August 2009)	Forecast Expenditure (Position as at end of September 2009)	Variation Forecast September 2009
CYP&F	£41.3m	£41.1m	£-0.2m
S&CS	£7.3m	£7.1m	£-0.2m
E&E	£42.5m	£41.4m	£-1.1m
Community Safety	£0.7m	£1.1m	£0.4m
Corporate Core	£1.0m	£1.0m	£0.0m
Sub-total	£92.8m	£91.7m	£-1.1m
Schools Capital/Devolved Formula/Reserves	£11.4m	£11.6m	£0.2m
Total	£104.2m	£103.3m	£-0.9m

Children, Young People & Families

62. The forecast expenditure for Children, Young People & Families directorate is now £41.1m. This has decreased by £-0.2m compared to the capital programme budget of £41.3m agreed last month.
63. Phasing of expenditure on the Flexibility of Childcare Grant and the Loans to Foster/Adoptive Parents has been revised and as a result, £0.560m has been slipped into later years of the programme.
64. Offsetting this slippage is a new scheme for a Children's Centre at Bloxham which has been included in the programme. This is funded from the Children's Centre grant and expenditure of £0.2m is forecast in 2009/10. A further £0.2m additional 2009/10 expenditure relates to the replacement of temporary classrooms at Charlton-on-Otmoor.
65. Within Schools' Capital a new grant of £0.5m is available for School Kitchen and Dining Improvements. It is anticipated that £0.2m of the grant will be spent in this financial year.

Social & Community Services

66. The total forecast expenditure is £7.1m for Social & Community Services, £-0.2m lower than the agreed capital programme. This variation is associated with delays in planned expenditure within the Day Centres for Older People and Learning Disabilities schemes.

Environment & Economy

67. Environment and Economy expect to spend £41.4m in 2009/10 compared to the latest budget of £42.5m, a variation of £-1.1m.

68. Feasibility studies on Chipping Norton and Wallingford Air Quality Management Area (AQMA) are now complete. Forecast costs for the Wallingford Scheme have been revised, resulting in a saving of £0.2m. The delivery of the Chipping Norton scheme will now extend into 2010/11 and £0.150m of expenditure has been re-phased to reflect this.
69. The contract for removing the fly-tipped waste from Redbridge Hollow has been let at a significantly lower cost than budget, resulting in a saving of £0.741m. Community Safety have submitted a grant bid to try to secure funding for eight additional pitches on the Redbridge site to prevent fly-tipping in the future. The grant bid has been rejected once and if it is rejected again this saving could be used to fund the additional pitches. However, if the grant bid is successful this saving will reduce the deficit position on the overall capital programme. Until the outcome of the grant bid is known, this saving is being held as a contingency in 2010/11.

Community Safety

70. The forecast spend for Community Safety & Shared Services is £1.1m, a variation of £0.4m when compared to the latest capital programme.
71. An element of the Kitchen and Dining Improvement grant (referred to above) has been retained by Food with Thought (FwT) and this, together with a contribution from the FwT revenue reserve, gives a total of £0.5m to spend. Expenditure of £0.3m has been forecast for 2009/10.
72. There is a small variation of £0.050m on the Bicester Fire Station Upgrade scheme as the spend forecast for this financial year is higher than previously anticipated.

Actual Expenditure

73. As at the end of September actual capital expenditure was £31.3m, 30% of the forecast expenditure of £103.3m. This represents £12.1m increase compared to last month and is consistent with the position reported at this time last year. Total commitments were a further £27.6m; therefore total committed expenditure was 57% of the total planned expenditure.

Movement on the Overall Capital Programme

74. The forecast expenditure for the capital programme is £484.6m (excluding schools). Compared to the budget of £491.3m shown in the capital programme agreed last month this is a variation of -£6.7m. The directorate variations are shown in the table below.

Directorate	Latest Capital Programme Budget	Forecast Expenditure	Variation Forecast September 2009
	(Approved October 2009 Position as at end of August 2009)	(Position as at end of September 2009)	
Children, Young People & Families	£298.4m	£290.3m	£8.1m
Social & Community Services	£23.0m	£23.0m	£0.0m
Environment & Economy	£160.3m	£161.2m	£0.9m
Community Safety & Shared Services	£5.6m	£6.1m	£0.5m
Corporate Core	£4.0m	£4.0m	£0.0m
Sub-total	£491.3m	£484.6m	£6.7m
Schools	£62.0m	£62.5m	£0.5m
Capital/Devolved Formula			
Earmarked Reserves	£1.7m	£1.4m	£0.3m
Total	£555.0m	£548.5m	£6.5m

75. The decrease on Children, Young People & Families is in the Forward Plan. The Banbury New Futures Centre (£3m) and the Chipping Norton Young People and Adult Learning Centre (£1m) schemes have been added. These are funded from the co-location grant, with a £0.2m contribution from Chipping Norton Town Council. This has been offset by removing the consolidation of King Alfred's School scheme (-£12m), agreed by Cabinet in September 2009, as this may be part of the Building Schools for the Future programme.
76. In Environment & Economy the Bampton Community Facility scheme has been added to the programme. This is also funded from the co-location grant with a contribution of £0.25m from capital receipts. This contribution was being held in the earmarked reserve, but has now been transferred to the main programme.
77. The increase in the Community Safety & Shared Services programme and the Schools Capital is due to the Kitchen and Dining Improvements as mentioned earlier in the report.

Capital Grant Funding

78. Harnessing Technology capital grant of £1.283m has been received from the Department for Children, Schools and Families (DCSF) this year and a further £1.225m is due in 2010/11. This is funding the implementation of the Oxfordshire Learning Platform and some changes to OCN bandwidth for schools. Because of good progress, it is possible that expenditure this year will exceed this year's grant funding by up to £1.2m. A request has been made to the DCSF to bring forward the 2010/11 allocation to fund this acceleration in project delivery. If the response to the request is not favourable, then the current year capital programme resources will need to be used to temporarily fund the expenditure in 2009/10. These resources will be re-paid to the capital programme when next year's grant is received.

RECOMMENDATIONS

79. **The Cabinet is RECOMMENDED to:**
- (a) note the report; and**
 - (b) approve the virements as set out in Annex 2a.**

SUE SCANE

Assistant Chief Executive & Chief Finance Officer

Background papers: Directorate reports

Contact Officer: Kathy Wilcox, Principal Financial Manager
Tel: (01865) 323981

November 2009

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Annex 1

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Contributions to (+)/from (-)reserves	2,082	-2,365	693	-375	410	-873	-1,283
Contribution to (+)/from(-) balances	-5,131				-5,506	-6,693	-1,187
Capital Financing	37,161				37,161	35,811	-1,350
Interest on Balances	-1,034		-65		-1,099	-1,099	0
Strategic Measures Budget	33,078	-2,365	628	-375	30,966	27,146	-3,820
Area Based Grant (income)	-26,950				-26,950	-26,950	0
Budget Requirement	379,170	0	0	0	379,170	196	439

Total External Financing to meet Budget Requirement

Revenue Support Grant	19,657				19,657	19,657	0
Business rates	85,163				85,163	85,163	0
Council Tax	274,350				274,350	274,350	0
Other grant income (e.g. LABGI)					0	439	439
External Financing	379,170	0	0	0	379,170	379,609	439

Consolidated revenue balances position

Forecast County Fund Balance net of City Schools (Annex 6)	14,088
In-year directorate variation to be met from (-) or transferred to (+) Carry Forward Reserve	-3,484
	10,604

KEY TO TRAFFIC LIGHTS
Balanced Scorecard Type of Indicator

Budget	On track to be within +/- 1% of year end budget	G
	On track to be within +/- 5% of year end budget	A
	Estimated outturn showing variance in excess of +/- 5% of year end budget	R

CA6

Ref	Division of Service	Original Budget £000 (3)	Brought Forward from 2008/09 Surplus + Deficit - £000 (4)	Virements to Date £000 (5)	Supplementary Estimates to date £000 (6)	Latest Estimate £000 (7)	Outturn Forecast Year end Spend/Income £000 (8)	Projected Year End Variation underspend - overspend + £000 (9)	Profiled Budget (Net) August 2009 £000 (10)	Actual Expenditure (Net) August 2009 £000 (11)	Variation to Budget August 2009 underspend - overspend + £000 (12)	Projected Year end Variance Traffic Light Indicator (13)
(1)	(2)											
CY1	Young People and Access to Education											
	Gross Expenditure	43,068	598	112		43,778	44,424	646	30,413	25,794	-4,619	A
	Gross Income	-20,539		-416		-20,955	-20,955	0	-10,702	-2,502	8,200	G
		22,529	598	-304	0	22,823	23,469	646	19,711	23,292	3,581	A
CY2	Children and Families											
	Gross Expenditure	63,859	-872	2,691		65,678	70,036	4,358	33,557	35,200	1,643	R
	Gross Income	-35,773		-2,943		-38,716	-38,716	0	-20,228	-12,902	7,325	G
		28,086	-872	-252	0	26,962	31,320	4,358	13,329	22,297	8,968	R
CY3	Raising Achievement Service											
	Gross Expenditure	35,433	196	6,892		42,521	42,521	0	21,274	9,712	-11,562	G
	Gross Income	-25,798		-6,965		-32,763	-32,763	0	-16,383	-29,808	-13,426	G
		9,635	196	-73	0	9,758	9,758	0	4,891	-20,097	-24,988	G
CY4	Commissioning, Performance and Quality Assurance											
	Gross Expenditure	46,488	580	1,362		48,430	47,656	-774	15,703	14,282	-1,421	A
	Gross Income	-8,680		-956		-9,636	-9,636	0	-4,626	-168,460	-163,834	G
		37,808	580	406	0	38,794	38,020	-774	11,076	-154,179	-165,255	A
	<i>Subtotal Non Delegated Budgets</i>	98,058	502	-223	0	98,337	102,567	4,230	49,008	-128,686	-177,694	A
CY5	Schools											
	Gross Expenditure	321,151		3,566		324,717	324,717	0	161,970	177,701	15,731	G
	Gross Income	-321,526		-3,527	215	-324,838	-324,838	0	-162,418	-65,103	97,316	G
	Less City Schools Reorganisation	594	-1,369			-775	0	775			0	R
		219	-1,369	39	215	-896	-121	775	-448	112,599	113,047	R
	Less recharges within directorate	-8,591				-8,591	-8,591	0	0	0	0	G
		8,591				8,591	8,591	0	0	0	0	G
	Directorate Total Expenditure	502,002	-867	14,623	0	515,758	520,763	5,005	262,917	262,688	-229	G
	Directorate Total Income	-403,725	0	-14,807	215	-418,317	-418,317	0	-214,357	-278,775	-64,418	G
	Directorate Total	98,277	-867	-184	215	97,441	102,446	5,005	48,560	-16,087	-64,647	R
Month No.												
								-775				
								-729				
								-2,593				
								908				

Less: City Schools Reorganisation
Less: DSG funded services overspend (included above)
Less: DSG reallocation to core areas
In-Year Directorate Variation

DEDICATED SCHOOLS GRANT - DSG Funded Expenditure (Gross)

CY1	Children & Young People	14,524				14,524	14,799	275
CY2	Early Years & Family Support	17,310				17,310	17,764	454
CY3	Educational Effectiveness	1,620				1,620	1,620	0
CY4	Strategy & Performance	4,934				4,934	4,934	0
CY5	Schools (incl Non Devolved Schools Costs)	278,766				278,766	275,444	-3,322
Total Gross		317,154	0	0	0	317,154	314,561	-2,593

KEY TO TRAFFIC LIGHTS**Balanced Scorecard Type of Indicator**

Budget	On track to be within +/- 1% of year end budget	G
	On track to be within +/- 5% of year end budget	A
	Estimated outturn showing variance in excess of +/- 5% of year end budget	R

Ref	Division of Service	BUDGET 2009/10					Outturn Forecast Year end Outturn	Projected Year End Variation underspend - overspend + £000 (9)	Profilled Budget (Net) August 2009 £000 (10)	Actual Expenditure (Net) August 2009 £000 (11)	Variation to Budget August 2009 underspend - overspend + £000 (12)	Projected Year end Variation Traffic Light Indicator (13)
		Original Budget £000 (3)	Brought Forward from 2008/09 Surplus + Deficit - £000 (4)	Virements to Date £000 (5)	Supplementary Estimates to Date £000 (6)	Latest Estimate £000 (7)						
(1)	(2)											
SC1	Community Services Gross Expenditure Gross Income	22,704	88	-840		21,952	22,306	354	11,020	11,506	486	A
		-10,117		838		-9,279	-9,279	0	-4,686	-4,800	-114	G
		12,587	88	-2	0	12,673	13,027	354	6,334	6,706	372	A
SC2	Social Care for Adults Gross Expenditure Gross Income	171,891	843	243		172,977	173,412	435	86,609	87,120	511	G
		-42,898		-413		-43,311	-43,311		-21,805	-23,088	-1,283	G
		128,993	843	-299	0	129,666	130,101	435	64,804	64,032	-772	G
SC3	Major Projects (excl Supporting People) Gross Expenditure Gross Income	357		0		357	357	0	178	141	-37	G
		-190		0		-190	-190	0	-95	0	95	G
		167	0	0	0	167	167	0	83	141	58	G
SC4	Strategy and Transformation Gross Expenditure Gross Income Less recharges within directorate	28,650	163	-937		27,876	27,951	75	13,940	13,447	-493	G
		-3,971		351		-3,620	-3,620	0	-1,811	-2,292	-481	G
		24,679	163	-586	0	24,256	24,331	75	12,129	11,155	-974	G
SC3_4	Directorate Total Expenditure Directorate Total Income Directorate Sub-Total	212,820	1,094	-1,534	0	212,380	213,244	864	106,356	112,214	467	G
		-46,394	0	776	0	-45,618	-45,618	0	-23,006	-30,180	-1,783	G
		166,426	1,094	-758	0	166,762	167,626	864	83,350	82,034	-1,316	G
SC3_4	Supporting People Gross Expenditure Gross Income	12,571		0		12,571	12,571	0	6,473	7,177	704	G
		-12,197		0		-12,197	-12,197	0	-6,099	-7,588	-1,489	G
		374	0	0	0	374	374	0	374	-411	-785	G
	Directorate Total	166,800	1,094	-758	0	167,136	168,000	864	83,724	81,623	-2,101	G

Pooled Budget Memorandum Accounts

	OCC Contribution	Health Contribution	Gross Budget	Brought Forward from 2008/09	Net Budget	Forecast Outturn	Projected year-end variation	Projected variation OCC	Projected variation PCT
Older People's Pooled Budgets	82,219	20,316	102,535	1,259	103,794	106,456	2,662	1,424	1,238
Physical Disabilities Pooled Budget	7,114	3,818	10,932	0	10,932	12,597	1,665	516	1,149
Equipment Pooled Budget	1,346	312	1,658	0	1,658	2,233	575	252	323
	90,679	24,446	115,125	1,259	116,384	121,286	4,902	2,192	2,710
Older People's, Physical Disabilities and Equipment Pooled Budget									
Learning Disabilities Pooled Budget	42,781	31,093	73,874	0	73,874	74,561	687	398	289

Note: Contributions to the pool are shown within gross expenditure figures above for the relevant division of service

Balanced Scorecard Indicator

Budget			
	On track to be within +/- 1% of year end budget	G	
	On track to be within +/- 5% of year end budget	A	
	Estimated outturn showing variance in excess of +/- 5% of year end budget	R	

Ref	Directorate	BUDGET 2008/09					Latest Estimate	Outturn Forecast Year end Spend/Income	Projected Year end Variation underspend - overspend + £000 (9)	Profilled Budget (Net) August 2009 £000 (10)	Actual Expenditure (Net) August 2009 £000 (11)	Variation to Budget August 2009 underspend + overspend + £000 (12)	Projected Year end Variance Traffic Light Indicator
		Original Budget £000 (3)	Brought Forward from 2007/08 Surplus + Deficit - £000 (4)	Virements to Date £000 (5)	Supplementary Estimates to Date £000 (6)								
(1)	(2)						£000 (7)	£000 (8)	£000 (9)	£000 (10)	£000 (11)	£000 (12)	(13)
EE1	Transport												
	Gross Expenditure	49,704	108	340			50,152	50,375	223	25,076	24,383	-693	G
	Gross Income	-9,687		-134			-9,821	-9,719	102	-4,911	-3,068	1,843	A
		40,017	108	206	0		40,331	40,656	325	20,166	21,315	1,150	G
EE2	Sustainable Development												
	Gross Expenditure	27,556	739	121			28,416	27,952	-464	14,208	10,572	-3,636	A
	Gross Income	-2,763		-341			-3,104	-3,259	-155	-1,552	-1,468	84	A
		24,793	739	-220	0		25,312	24,693	-619	12,656	9,104	-3,552	A
EE3	Property Services												
	Gross Expenditure	18,293	115	110	160		18,678	18,931	253	9,339	9,425	86	A
	Gross Income	-19,584		20			-19,564	-19,515	49	-9,782	-8,649	1,133	G
		-1,291	115	130	160		-886	-584	302	-443	776	1,219	R
EE4	Business Support												
	Gross Expenditure	5,224	4	-4			5,224	5,348	124	2,612	2,624	12	A
	Gross Income	-112		2			-110	-112	-2	-55	-109	-54	A
	Less recharges within directorate	5,112	4	-2	0		5,114	5,236	122	2,557	2,515	-42	A
		-2,342					-2,342		2,342	-1,171		1,171	R
		2,342					2,342		-2,342	1,171		-1,171	R
	Directorate Expenditure Total	98,435	966	567	160		100,128	102,606	2,478	50,064	47,004	-3,060	A
	Directorate Income Total	-29,804	0	-453	0		-30,257	-32,605	-2,348	-15,129	-13,294	1,835	R
	Directorate Total Net	68,631	966	114	160		69,871	70,001	130	34,936	33,710	-1,226	G

KEY TO TRAFFIC LIGHTS
Balanced Scorecard Type of Indicator

Budget	On track to be within +/- 1% of year end budget	G
	On track to be within +/- 5% of year end budget	A
	Estimated outturn showing variance in excess of +/- 5% of year end budget	R

Ref	Directorate	BUDGET 2009/10					Outturn Forecast Year end Spend/Income	Projected Year end Variation underspend - overspend + £000 (9)	Projected Budget (Net) August 2009 £000 (10)	Actual Expenditure (Net) August 2009 £000 (11)	Variation to Budget August 2009 underspend + overspend + £000 (12)	Projected Year end Variance Traffic Light Indicator
		Original Budget £000 (3)	Brought Forward from 2008/09 Surplus + Deficit - £000 (4)	Virements to Date £000 (5)	Supplementary Estimates to Date £000 (6)	Latest Estimate £000 (7)						
(1)	(2)						£000 (8)	£000 (9)	£000 (10)	£000 (11)	£000 (12)	(13)
CS1	Fire & Rescue Service Gross Expenditure Gross Income Net Expenditure	24,174	279	-29		24,424	24,396	-28	12,212	11,330	-882	G
		-616		1		-615	-615	0	-308	-537	-229	G
		23,558	279	-28	0	23,809	23,781	-28	11,904	10,793	-1,111	G
CS2	Emergency Planning Service Gross Expenditure Gross Income Net Expenditure	384	15	-1		398	398	0	199	169	-30	G
						0	0	0	0	0	0	
		384	15	-1	0	398	398	0	199	169	-30	G
CS3	Safer Communities Unit Gross Expenditure Gross Income Net Expenditure	886	15	-1		900	900	0	450	367	-83	G
						0	0	0	0	-8	-8	
		886	15	-1	0	900	900	0	450	359	-91	G
CS4	Traveller Sites Gross Expenditure Gross Income Net Expenditure	496		448		944	884	-60	472	329	-143	R
		-283		-449		-732	-732	0	-366	-272	94	G
		213	0	-1	0	212	152	-60	106	57	-49	R
CS5	Trading Standards Gross Expenditure Gross Income Net Expenditure	2,656	75	-10		2,721	2,721	0	1,361	1,453	92	G
		-206				-206	-206	0	-103	-120	-17	G
		2,450	75	-10	0	2,515	2,515	0	1,258	1,333	75	G
CS6	Shared Services Gross Expenditure Gross Income Net Expenditure Less recharges within directorate	28,956	436	291		29,683	29,583	-100	14,842	14,005	-837	G
		-26,539		-279		-26,818	-26,818	0	-13,409	-15,632	-2,223	G
		2,417	436	12	0	2,865	2,765	-100	1,433	-1,627	-3,060	A
		-3,549				-3,549	-3,549	0	-1,764		1,764	G
		3,549				3,549	3,549	0	1,764		-1,764	G
Directorate Expenditure Total		54,003	820	698	0	55,521	55,333	-188	27,772	27,653	-119	G
Directorate Income Total		-24,095	0	-727	0	-24,822	-24,822	0	-12,422	-16,569	-4,147	G
Directorate Total Net		29,908	820	-29	0	30,699	30,511	-188	15,350	11,084	-4,266	G

Budget	G
On track to be within +/- 1% of year end budget	A
On track to be within +/- 5% of year end budget	A
Estimated outturn showing variance in excess of +/- 5% of year end budget	R

KEY TO TRAFFIC LIGHTS
Balanced Scorecard Type of Indicator

Ref	Directorate	BUDGET 2009/10					Latest Estimate
		Original Budget	Brought Forward from 2007/08 Surplus + Deficit - £000	Virements to Date	Supplementary Estimates to Date		
(1)	(2)	£000 (3)	£000 (4)	£000 (5)	£000 (6)	£000 (7)	
CC1	TRANSFORMATION Business Support Gross Expenditure Gross Income						
		1,361 -179	32	5		1,398 -179	
		1,182	32	5	0	1,219	
CC2	ICT Gross Expenditure Gross Income	18,428 -18,783		-29 339		18,399 -18,444	
		-355	0	310	0	1,705	
CC3	Strategic Human Resources & Organisational Development Gross Expenditure Gross Income	2,657 -2,622	17	-204 221		2,470 -2,401	
		35	17	17	0	69	
CC4	Finance & Procurement Gross Expenditure Gross Income	3,555 -3,499	44	44 -10		3,643 -3,509	
		56	44	34	0	134	
		26,001 -25,083	93	-184 550	0	25,910 -24,533	
	SUBTOTAL TRANSFORMATION	918	93	366	0	1,377	

Projected Year end Variation	Projected Year end Variation	Outturn Forecast Year end Spend/Income	Projected Year end Variation	Projected Year end Variation	Actual Expenditure (Net)	Variation to Budget
underspend -	underspend -	£000 (8)	underspend -	underspend -	£000 (11)	underspend +
overspend +	overspend +		overspend +	overspend +	£000 (12)	overspend +
£000 (9)	£000 (9)		£000 (9)	£000 (9)	£000 (10)	£000 (10)

Ref	Directorate	BUDGET 2009/10					Latest Estimate	Outturn Forecast Year end Spend/Income	Projected Year end Variation	Actual Expenditure (Net)	Variation to Budget	Projected Year end Variance
		Original Budget	Brought Forward from 2007/08	Virements to Date	Supplementary Estimates to Date	Latest Estimate						
(1)	(2)	£000 (3)	£000 (4)	£000 (5)	£000 (6)	£000 (7)	£000 (8)	£000 (9)	£000 (10)	£000 (11)	£000 (12)	(13)
	STRATEGY											
CC5	Legal & Democratic Services	Gross Expenditure	5,546	102	-18		5,650	20	2,815	3,572	757	G
		Gross Income	-2,522				-2,522	0	-1,261	-1,637	-376	G
			3,024	102	-18	0	3,128	20	1,554	1,935	381	G
CC6	Partnerships	Gross Expenditure	913	66	34		1,013	0	507	457	-50	G
		Gross Income	-833				-833	0	-417	-417	0	G
			80	66	34	0	180	0	90	40	-50	G
CC7	Policy Unit	Gross Expenditure	1,652	64	127		1,843	0	922	1,008	86	G
		Gross Income	-1,472				-1,472	0	-736	-926	-190	G
			180	64	127	0	371	0	186	82	-104	G
CC8	Communication & Public Affairs	Gross Expenditure	844	27	138		1,009	0	505	445	-60	G
		Gross Income	-824				-824	0	-412	-407	5	G
			20	27	138	0	185	0	93	38	-55	G
	Gross Expenditure	8,955	259	281	0	9,495	9,515	20	4,749	5,482	733	G
	Gross Income	-5,651	0	0	0	-5,651	-5,651	0	-2,826	-3,387	-561	G
	SUBTOTAL STRATEGY	3,304	259	281	0	3,844	3,864	20	1,923	2,095	172	G

Ref	Directorate	BUDGET 2009/10					Outturn Forecast Year end Spend/Income	Projected Year end Variation	Profiled Budget (Net) August 2009	Actual Expenditure (Net) August 2009	Variation to Budget	Projected Year end Variance Traffic Light Indicator
		Original Budget	Brought Forward from 2007/08 Surplus + Deficit -	Virements to Date	Supplementary Estimates to Date	Latest Estimate						
(1)	(2)	£000 (3)	£000 (4)	£000 (5)	£000 (6)	£000 (7)	£000 (8)	£000 (9)	£000 (10)	£000 (11)	£000 (12)	(13)
CC9	Change Fund Gross Expenditure Gross Income	806		-440			366 0	0 0	183 0		-183 0	G
		806	0	-440	0	366	366	0	183	0	-183	G
CC10	Corporate & Democratic Core Gross Expenditure Gross Income	4,398		22			4,420 0	0 0	2,210 0	2,174	-36 0	G
		4,398	0	22	0	4,420	4,420	0	2,210	2,174	-36	G
D 2 2 2 2	Less recharges within directorate	-4,948 4,948					-4,948 4,948	0 0	-2,474 2,474		2,474 -2,474	G G
		35,212	352	-321	0	35,243	37,013	1,770	17,624	26,371	8,747	R
		-25,786	0	550	0	-25,236	-25,236	0	-12,620	-14,544	-1,924	G
		9,426	352	229	0	10,007	11,777	1,770	5,004	11,827	6,823	R

KEY TO TRAFFIC LIGHTS
Balanced Scorecard Type of Indicator

Budget	On track to be within +/- 1% of year end budget	G
	On track to be within +/- 5% of year end budget	A
	Estimated outturn showing variance in excess of +/- 5% of year end budget	R

Shared Services: Cash Flow Forecast (2009/10 Prices)

September 2009

CA6

Annex 1f

Latest Position (2008/09 prices)											
	2006/07 £000	2007/08 £000	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/15 £000	Total £000	
Budget Savings	0	1,281	3,752	4,641	4,599	4,599	4,599	4,599	4,599	32,669	
Project Costs	1,189	2,453	614	1,280	454					5,990	
Additional Operating Costs	296	1,118	1,595	1,970	2,466	1,953	1,915	1,918	1,893	15,124	
Net Saving / (Cost)	-1,485	-2,290	1,543	1,391	1,679	2,646	2,684	2,681	2,706	11,555	
Cumulative Net Saving / (Cost)	-1,485	-3,775	-2,232	-841	838	3,484	6,168	8,849	11,555		

Budget Savings - Business Case (2005/06 prices)											
	2006/07 £000	2007/08 £000	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/15* £000	Total £000	Total 2009/10 Prices
Budget Savings	724	2,592	3,808	4,001	4,001	4,001	4,001	4,001		27,129	29,653
Project Costs	4,303	1,693	54							6,050	6,050
Additional Operating Costs	806	1,483	1,572	1,569	1,569	1,569	1,569	1,569		11,706	12,612
Net Saving / (Cost)	-4,385	-584	2,182	2,432	2,432	2,432	2,432	2,432		9,373	10,991
Cumulative Net Saving / (Cost)	-4,385	-4,969	-2,787	-355	2,077	4,509	6,941	9,373			
Variance	2,900	1,194	555	-486	-1,239	-1,025	-773	-524	11,555		

Original Business Case (revised 2009/10 prices)											
Variance at comparable prices (2009/10 prices)											
										10,991	10,991
										-2,142	564

* original business case only went up to 2013/14

On-going annual savings of £2.7m, compared to business case (at 2009/10 prices) of £2.6m
Savings per Business Case achieved by Dec 2014, target March 2014

September Financial Monitoring Report
CABINET - 24 November 2009

Annex 2a

Virements

CABINET IS RECOMMENDED TO APPROVE THE VIREMENTS AS DETAILED BELOW:

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Council Approval Required (✓)	Details	Expenditure		Income	
							From / Decrease (-) £000	To / Increase (+) £000	From / Decrease (+) £000	To / Increase (-) £000
			VIREMENTS RECOMMENDED THIS REPORT							
			Intradirectorate Virements							
			Children, Young People & Families							
	Nov-09	CYPF3-21	Professional Development	P		Ensure budgets are in line with current management structure	-428			
	Nov-09	CYPF3-22	Educational Achievement & Service Monitoring	P		Ensure budgets are in line with current management structure	-168		49	
	Nov-09	CYPF3-23	Curriculum Learning & Inclusion	P		Ensure budgets are in line with current management structure	-622			
	Nov-09	CYPF3-24	Partnership Development & Extended Learning	P		Ensure budgets are in line with current management structure	-432		41	
	Nov-09	CYPF3-25	Secondary School Improvement	P		Ensure budgets are in line with current management structure	-530			
	Nov-09	CYPF3-31	Strategic Management	P		Ensure budgets are in line with current management structure		2,180		-90
	Nov-09	CYPF4-3	CPQA-Organisational Development	P		1.0fte transferred to the Family Information Service from CYPF	-12			
	Nov-09	CYPF4-1	CPQA-Performance	P		General Office (w.e.f. Sept 2009)		12		
	Nov-09	CYPF2-5	Central Costs	P		Reallocate additional funding in relation to 4fte social workers		-160		
	Nov-09	CYPF2-32	Family Support	P		Reallocate additional funding in relation to 4fte social workers	160			
	Nov-09	CYPF2-22	Early Years and Childcare Area Teams	P		Tidy Early Years budget to reflect 2009/10 restructure				-43
	Nov-09	CYPF2-21	Early Years and Childcare County wide	P		Tidy Early Years budget to reflect 2009/10 restructure			43	
	Nov-09	CYPF2-21	Early Years and Childcare County wide	P		Tidy Early Years budget to reflect 2009/10 restructure			16	
	Nov-09	CYPF2-22	Early Years and Childcare Area Teams	P		Tidy Early Years budget to reflect 2009/10 restructure				-16
	Nov-09	CYPF2-21	Early Years and Childcare County wide	P		Tidy Early Years budget to reflect 2009/10 restructure			9	
	Nov-09	CYPF2-22	Early Years and Childcare Area Teams	P		Tidy Early Years budget to reflect 2009/10 restructure				-9
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T		Creation of Blackbird Leys Childrens Centre income and expenditure budget		666		-666
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T		Creation of Bicester Childrens Centre income and expenditure budget		317		-317
	Nov-09	SC2_2A	Social & Community Services OCC Contribution to OP Pool	P		To move cost centre SKE701 (Service Agreement - Carers) out of OPPD pooled budget to SC2_1i (One off Funding Projects)	-684		684	
	Nov-09	SC2_1i	One Off Funding Projects	P		To move cost centre SKE701 (Service Agreement - Carers) out of OPPD pooled budget to SC2_1i (One off Funding Projects)		684		-684
	Nov-09	SC2_2B	OP Care Management Team	P		To Move cost centre SKT493 OP (MH) Care Management out of Older People into Mental Health.	-533			
	Nov-09	SC2_3A	OCC Contribution to MH Pool	P		To Move cost centre SKT493 OP (MH) Care Management out of Older People into Mental Health.		533		
	Nov-09	SC2_1D	Employment Services	P		Restructure Cost Centre		347		-347
	Nov-09	SC4_3A	Leadership Team	P		Early retirements budget moved from contingency.	-8	8		
	Nov-09	SC4_3B	Contingency	P		Early retirements budget moved from contingency.				
	Nov-09	CC3.4	Corporate Core Strategic HR & OD - OD	T		Transfer of part of the Lead Oxfordshire funding from Change Fund.	-100			
	Nov-09	CC9	Change Fund	T		The funding level has now reached £280k in total		100		
			Total Intradirectorate Virements Recommended				-3,357	4,687	842	-2,172
			Interdirectorate Virements							
	Nov-09	CC3.1	Strategic HR & OD - HR	P		Transfer of Job Finder Service to Shared Services	-52			
	Nov-09	CS6.1.4	Shared Services - HR	P		Transfer of Job Finder from Strategic HR		52		
	Nov-09	CC3.4	Strategic HR & OD - OD	P		Transfer of Apprenticeship post to Organisational Development from Shared Services		50		
	Nov-09	CS6.1.4	Shared Services - HR	P		Transfer of Apprenticeship post to Strategic HR&OD	-50			
	Nov-09	CC3.3	Strategic HR & OD - Unison	P		Transfer of budget from E&E to create a central budget for Unison branch officers funded by OCC.		4		
	Nov-09	EE4.1	Business Improvement	P		Funding Unison	-4			
	Nov-09	CC4.2	Finance & Procurement - Corporate Finance	P		Transfer of Capital Management Accounting budget from Shared Services		55		
	Nov-09	CS6.1.3	Shared Services - FMA	P		Transfer of Capital Management Accounting budget to Corporate Core	-55			
			Total Interdirectorate Virements Recommended				-161	161	0	0
			TOTAL VIREMENTS RECOMMENDED THIS REPORT				-3,518	4,848	842	-2,172

Virements requiring Cabinet approval are:

1. All permanent virements.
2. Temporary virements between £250,000 and £500,000.

NB: All virements greater than £500,000 and deemed to constitute a change in policy, will be recommended by Cabinet for approval by Council. This includes the cumulative total of virements that have previously been reported

**September Financial Monitoring Report
CABINET - 24 November 2009**

Annex 2b

Virements

VIREMENTS REQUIRING CABINET APPROVAL ACTIONED THIS REPORT

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-)	To / Increase (+)	From / Decrease (+)	To / Increase (-)
						£000	£000	£000	£000
			Intradirectorate Virements						
	Sep-09	CYPF4-5	Children, Young People & Families						
			Property & Assets - Joint Sports	P	Tidy Joint Sports Budgets	-6		6	
	Sep-09	CYPF4-2	Reducing Teenage Pregnancy	T	Additional funding from PCT agreed		34		-34
	Sep-09	CYPF3-22	RAS	P	Salary budget for Snr Research Officer post and admin support transferred from RAS w.e.f. 1st April 2009	-69	69		
	Sep-09	CYPF4-1	Performance	P					
	Sep-09	CYPF2-32	Family Support	P	Reversal of income budget as ABG for "Carers grant & Emergency respite".			23	
	Sep-09	CYPF1-14	Services for disabled Children	P	Reversal of income budget as ABG for "Carers grant & Emergency respite".				-23
	Sep-09	CYPF2-32	Family Support	P	Reversal of income budget as ABG for "Carers grant & Emergency respite".			10	
	Sep-09	CYPF1-14	Services for disabled Children	P	Reversal of income budget as ABG for "Carers grant & Emergency respite".				-10
	Sep-09	CYPF1-51	Youth Offending Service	P					
	Sep-09	CYPF1-51		P	Increase budget to include recharge from Prevention grant.		23		-23
	Sep-09	CYPF4-1	Performance	P					
	Sep-09	CYPF1-26	Locality	P	Move salary budget to follow post move	-42	42		
	Sep-09	CYPF2-22	Early Years & Childcare South Team	P	IA10 post changing to an IA7 post	-4	47		
	Sep-09	CYPF2-22	Early Years & Childcare Central Staff	P	Additional FT Advisory teacher	-43			
	Sep-09	CYPF2-21	Early Years & Childcare County Wide	P					
	Sep-09	CYPF2-21	Early Years & Childcare Central Staff	P	Additional 0.5 FTE Advisory teacher	-16	16		
	Sep-09	CYPF2-22	Early Years & Childcare South Team	P	Additional 0.5 FTE Advisory teacher				
	Sep-09	CYPF2-21	Early Years & Childcare Central Staff	P	Additional FT Advisory teacher	-9	9		
	Sep-09	CYPF2-22	Early Years & Childcare Central Staff	P	Additional FT Advisory teacher				
	Sep-09	CYPF2-21	Early Years & Childcare Central Staff	P	Additional FT Advisory teacher	-37	37		
	Sep-09	CYPF2-22	Early Years & Childcare Central Staff	P	Additional FT Advisory teacher				
	Sep-09	CYPF2-11	Educational achievement Children looked after "Virtual School"	P	Remove income & Expenditure budget associated with Pump Priming grant	-20		20	
	Sep-09	CYPF2-11	Educational achievement Children looked after "Virtual School"	P	Remove income budget associated with Teachers Pay Grant	-8		8	
	Sep-09	CYPF2-11	Educational achievement Children looked after "Virtual School"	P				46	
	Sep-09	CYPF2-11	Educational achievement Children looked after "Virtual School"	P	Adjust debit budget associated with Childrens services grant				-46
	Sep-09	CYPF2-32	Family Support North	P	Move salary budget to follow post move	-28	28		
	Sep-09	CYPF2-32	Family Support North	P	Move salary budget to follow post move				
	Sep-09	CYPF2-21	Early Years & Childcare Countywide	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.	-137		137	
	Sep-09	CYPF2-22	Early Years & Childcare Area teams	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.			6	
	Sep-09	CYPF2-22	Early Years & Childcare Area teams	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.				-6
	Sep-09	CYPF2-21	Early Years & Childcare Countywide	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.			55	
	Sep-09	CYPF2-21	Early Years & Childcare Area teams	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.				-55
	Sep-09	CYPF2-21	Early Years & Childcare Countywide	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.			28	
	Sep-09	CYPF2-21	Early Years & Childcare Countywide	P	Reallocate income & Expenditure budgets in line with structure changes for 09/10.				-28
	Sep-09	CYPF2-21	Early Years & Childcare Countywide	P	Correction re double counting of budget for advisory teacher	-1			
	Sep-09	CYPF2-22	Early Years & Childcare area teams	P	Correction re double counting of budget for advisory teacher		1		
	Sep-09	CYPF2-24	Early Years - Childrens centres & childcare development	P	Reverse error in duplicate entry re salaries.		71		
	Sep-09	CYPF2-21	Early Years and childcare countywide	P	Reverse error in duplicate entry re salaries.	-71			
	Sep-09	CYPF2-23	Early Year's Children's Centres & Childcare development	P	Move budget for Post re-grading	-6	6		
	Sep-09	CYPF1-22	Attendance & Welfare	P	Schools forum decision to move DSG into the fair access panels from secondary contingency				-262
	Sep-09	CYPF5-1	Secondary ISB	P	Schools forum decision to move DSG into the fair access panels from secondary contingency			262	
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reallocate budgets to new cost centre.		96		-96
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reallocate budgets to new cost centre.	-96		96	
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres		34		
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres	-34			
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres		19		
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres	-19			
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres		18		
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres	-18			

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Virements

VIREMENTS REQUIRING CABINET APPROVAL ACTIONED THIS REPORT

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-)	To / Increase (+)	From / Decrease (+)	To / Increase (-)
						£000	£000	£000	£000
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres	-19	19		
	Sep-09	CYPF2-31	Family Support & Assessment	P	Reverse reallocation of budget to new cost centres				
			Social & Community Services						
	Sep-09	SC2_3b	Drugs and Alcohol	P	Move budget to follow clients.		30		
	Sep-09	SC2_1G	Direct payments	P	Move budget to follow clients.	-30			
	Sep-09	SC2_3B	Drugs and Alcohol	P	Move budget to follow clients.	-16		16	
	Sep-09	SC2_4E	Day Services Internal	P			12		-12
					General Service Association training income and expenditure.				
	Nov-09	SC2_4E	Day Services Internal	P	Payroll inflation adjustment to the LD Pool			20	
	Nov-09	SC2_4A	Commissioning & Contracts	P	Payroll inflation adjustment to the LD Pool			20	
	Nov-09	SC2_4F	OCC Contribution to LD Pool	P	Payroll inflation adjustment to the LD Pool	-20			
	Nov-09	SC2_4A	Commissioning & Contracts	P	SLA adjustment regarding payroll inflation			5	
	Nov-09	SC2_4B	Care Management & Social Work	P	SLA adjustment regarding payroll inflation			5	
	Nov-09	SC2_4F	OCC Contribution to LD Pool	P	SLA adjustment regarding payroll inflation	-10			
	Nov-09	SC2_4A	Commissioning & Contracts	P	SLA adjustment regarding payroll inflation	-1		1	
	Nov-09	SC2_4F	OCC Contribution to LD Pool	P	Restructure Service	-20			
			Environment & Economy						
	Sep-09	EE1.4	Oxfordshire Highways	P	Trees Management		21		
	Sep-09	EE3.1.4	Project Delivery	P	Trees Management	-21			
			Community Safety & Shared Services						
	Sep-09	CS6.2	Shared Services - Savings	P	Transfer of business case savings for part of year		67		
	Sep-09	CS6.1.3	Shared Services - Financial & Management Accounting	P		-67			
	Sep-09	CS1.4	Fire & Rescue	P	Revised Shared Services Support Charges Post Council	-17			
	Sep-09	CS5	Trading Standards	P	Amendments	-2			
	Sep-09	CS4	Safer Communities	P		-1			
	Sep-09	CS6.1.1	Shared Services - Central Team	P			41		
	Sep-09	CS6.1.3	Shared Services - FMA	P				1	
	Sep-09	CS6.1.4	Shared Services - HR	P					-22
	Sep-09	CS6.1.1	Shared Services - Central Team	P					-139
	Sep-09	CS6.1.3	Shared Services - FMA	P			42		
	Sep-09	CS6.1.4	Shared Services - HR	P			75		
	Sep-09	CS6.1.2	Shared Services - Financial Services	P			22		
	Sep-09	CS6.1.1	Shared Services - Central Team	P	Correction of Support Service Charges		40		
	Sep-09	CS6.1.3	Shared Services - FMA	P					-40
	Sep-09	CS6.1.1	Shared Services - Central Team	P	Correction of Support Service Charges				-1
	Sep-09	CS6.1.3	Shared Services - FMA	P		1			
	Sep-09	CS6.1.3	Shared Services - FMA	P	Correction of Support Service Charges			2	
	Sep-09	CS6.1.2	Shared Services - Financial Services	P		-2			
	Sep-09	CS6.1.4	Shared Services - HR	P	Correction of Support Service Charges			1	
	Sep-09	CS6.1.2	Shared Services - Financial Services	P		-1			
	Sep-09	CS1.2	Service Delivery Management	P	Fire Control cost centre to transfer to Service Support from 01/09/09	-820	820		
	Sep-09	CS1.5	Service Support Management	P					
	Sep-09	CS1.3	Special Projects	P	Amend budget to match actual Fire Control Implementation grant received	8			
	Sep-09	CS1.3	Special Projects	P					-8
			Corporate Core						
	Sep-09	CC4.4	Finance & Procurement - Internal Audit (Employees)	P	Transfer of £15k funding for Anti- Fraud work from other hired and contracted to employee budget. Work is to be carried out with the current Internal Audit Team		15		
	Sep-09	CC4.4	Finance & Procurement - Internal Audit (Supplies & Services)	P		-15			
	Sep-09	CC5.5	Legal & Democratic Services - Members Allowances	P	Reallocation of Insurance Budgets based on employee numbers		2		
	Sep-09	CC5.2	Legal & Democratic Services - Democratic Services	P		-1			
	Sep-09	CC1.1	Business Support	P		-7			
	Sep-09	CC6.1	Partnerships - Partnership Working	P			1		
	Sep-09	CC7.2	Policy - Corporate Performance	P			2		
	Sep-09	CC8.1	Communications & Public Affairs - Communications & Marketing	P			1		
	Sep-09	CC3.1	Strategic HR & OD - Human Resources	P		-5			
	Sep-09	CC4.1	Finance & Procurement - Service Management	P		-7			
	Sep-09	CC5.1	Legal & Democratic Services - Legal Services	P		-1			
	Sep-09	CC2.2	ICT - Operations	P			5		
	Sep-09	CC2.1	ICT - Personnel	P			11		
	Sep-09	CC8.2	Communications & Public Affairs -Print Unit	P		-1			

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Annex 2b

Virements

VIREMENTS REQUIRING CABINET APPROVAL ACTIONED THIS REPORT

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-)	To / Increase (+)	From / Decrease (+)	To / Increase (-)
						£000	£000	£000	£000
Sep-09	Sep-09	CC5.1	Legal Services	P	Revised ICT Support Services Charges - Post Council		3		
Sep-09	Sep-09	CC5.2	Democratic Services	P			2		
Sep-09	Sep-09	CC6.1	Partnerships	P			1		
Sep-09	Sep-09	CC7.2	Policy	P			1		
Sep-09	Sep-09	CC3.1	Human Resources	P			2		
Sep-09	Sep-09	CC3.5	Customer First	P			1		
Sep-09	Sep-09	CC8.1	Communications & Marketing	P			1		
Sep-09	Sep-09	CC4.1	Finance & Procurement	P			3		
Sep-09	Sep-09	CC1.1	Management & Admin	P			1		
Sep-09	Sep-09	CC10.2	Democratic Representation & Management	P			4		
Sep-09	Sep-09	CC2.12	ICT - Service Recharges	P					-19
Sep-09	Sep-09	CC4.1	Finance & Procurement	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council	-3			
Sep-09	Sep-09	CC10.1	Corporate Management	P			4		
Sep-09	Sep-09	CC10.2	Democratic Representation & Management	P			4	19	
Sep-09	Sep-09	CC4.1	Finance & Procurement - Service Management	P					-24
Sep-09	Sep-09	CC4.2	Finance & Procurement - Corporate Finance	P					
Sep-09	Sep-09	CC10.1	Corporate Management	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council		4		-4
Sep-09	Sep-09	CC4.4	Finance & Procurement - Internal Audit	P					
Sep-09	Sep-09	CC2.8	ICT Project Link	P	Transfer of Central Support Charge income budget to the correct budget book line			95	
Sep-09	Sep-09	CC2.12	ICT Service Recharges	P					-95
Sep-09	Sep-09	CC5.2	Democratic Services	P	Transfer of Chairman's Assistant salary	-33			
Sep-09	Sep-09	CC1.1	Business Support	P			33		
Total Intradirectorate Virements						-1,775	1,840	882	-947
Interdirectorate Virements									
Sep-09	Sep-09	CC2.12	ICT - Service Recharges	P	Revised ICT Support Services Charges - Post Council				-255
Sep-09	Sep-09	CC4.1	Finance & Procurement - Service Management	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council			35	
Sep-09	Sep-09	CC4.2	Finance & Procurement - Corporate Finance	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council				-15
Sep-09	Sep-09	CC4.4	Finance & Procurement - Internal Audit	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council				-8
Sep-09	Sep-09	CC4.3	Finance & Procurement - County Procurement	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council				-13
Sep-09	Sep-09	CC5.1	Legal Services	P	Revised Shared Services Support Charges Post Council Amendments	-2			
Sep-09	Sep-09	CC5.2	Democratic Services	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC6.1	Partnerships	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC7.2	Corporate Performance	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC3.1	Human Resources	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC3.5	Customer First	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC8.1	Communications & Marketing	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC4.1	Finance & Procurement	P	Revised Shared Services Support Charges Post Council Amendments	-3			
Sep-09	Sep-09	CC1.1	Management & Admin	P	Revised Shared Services Support Charges Post Council Amendments	-8			
Sep-09	Sep-09	CC10.2	ICT	P	Revised Shared Services Support Charges Post Council Amendments	-1			
Sep-09	Sep-09	CC10.1	Corporate Management	P	Revised Shared Services Support Charges Post Council Amendments		6		
Sep-09	Sep-09	CS1.4	Fire & Rescue	P	Revised ICT Support Services Charges - Post Council		16		
Sep-09	Sep-09	CS5	Trading Standards	P	Revised ICT Support Services Charges - Post Council		3		
Sep-09	Sep-09	CS6.1.1	Shared Services	P	Revised ICT Support Services Charges - Post Council		17		
Sep-09	Sep-09	CS1.4	Community Safety - Fire & Rescue	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council		1		
Sep-09	Sep-09	CS6.1.1	Shared Services	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council	-3			
Sep-09	Sep-09	CS6.1.2	Shared Services - Financial Services	P	Revised Shared Services Support Charges Post Council Amendments				-42
Sep-09	Sep-09	CS6.1.3	Shared Services - FMA	P	Revised Shared Services Support Charges Post Council Amendments			36	
Sep-09	Sep-09	CS6.1.4	Shared Services - HR	P	Revised Shared Services Support Charges Post Council Amendments			227	
Sep-09	Sep-09	EE4.1	Business Improvement	P	Revised ICT Support Services Charges - Post Council		28		
Sep-09	Sep-09	EE3.1.1	Property Services	P	Revised ICT Support Services Charges - Post Council		3		
Sep-09	Sep-09	EE4.1	Business Improvement	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council	-4			
Sep-09	Sep-09	EE3.1.1	Property Services	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council	-1			
Sep-09	Sep-09	EE4.1	Business Improvement	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council		3		
Sep-09	Sep-09	EE3.1.1	Property Services	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council		1		
Sep-09	Sep-09	EE4.1	Business Improvement	P	Revised Shared Services Support Charges Post Council Amendments	-25			
Sep-09	Sep-09	EE3.1.1	Property Services	P	Revised Shared Services Support Charges Post Council Amendments	-2			
Sep-09	Sep-09	CYPF4-7	CYPF	P	Revised ICT Support Services Charges - Post Council		91		
Sep-09	Sep-09	CYPF1-51	CYPF	P	Revised ICT Support Services Charges - Post Council		2		
Sep-09	Sep-09	CYPF4-7	CYPF	P	Revised Finance & Procurement Negotiable Support Service Charge - Post Council	-6			
Sep-09	Sep-09	CYPF4-7	CYPF	P	Revised Finance & Procurement Non Negotiable Support Service Charges - Post Council		6		

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Annex 2b

Virements

VIREMENTS REQUIRING CABINET APPROVAL ACTIONED THIS REPORT

VIREMENTS REQUIRING CABINET APPROVAL ACTIONED THIS REPORT						Expenditure		Income	
Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	From / Decrease (-)	To / Increase (+)	From / Decrease (+)	To / Increase (-)
						£000	£000	£000	£000
	Sep-09	CYPF4-7	CYPF	P	Revised Shared Services Support Charges Post Council Amendments	-92			
	Sep-09	SC4_1a	SCS	P	Revised ICT Support Services Charges - Post Council		95		
	Sep-09	SC4_1a	SCS	P	Revised Finance & Procurement Negotiable Support Service	-6			
	Sep-09	SC4_1a	SCS	P	Revised Finance & Procurement Non Negotiable Support		10		
	Sep-09	SC4_1a	SCS	P	Revised Shared Services Support Charges Post Council	-86			
	Sep-09	SC4_1a	SCS	P	Revised Shared Services Support Charges Post Council Amendments	-2			
	Sep-09	EE3.1.3	Strategic Asset Management	P	BOP budget Transfer from CYP&F		33		
	Sep-09	CYPF4-5		P	BOP budget Transfer to CYP&F	-33			
Total Interdirectorate Virements						-280	315	298	-333
					TOTAL VIREMENTS approved and on SAP	-2,055	2,155	1,180	-1,280

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Annex 2c

Virements

MEMORANDUM VIREMENTS REQUIRING CABINET APPROVAL PREVIOUSLY APPROVED BUT NOT YET ACTIONED DUE TO TIMING OF DECISION AND MONTH END

Report Para Ref	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-) £000	To / Increase (+) £000	From / Decrease (+) £000	To / Increase (-) £000
			Intradirectorate Virements						
	Oct-09	CYPF1-41	YPAE - Performance & Operations	P	Budget for the Admissions team to be moved following the	-441			
	Oct-09	CYPF4-5	CPQA - School Organisation	P	CPYF restructure		441		
	Oct-09	CYPF2-5	Central Costs	P	Reallocate Post Baby P additional funding to appropriate teams in South	-200			
	Oct-09	CYPF2-32	Family Support Team South	P	Reallocate Post Baby P additional funding to appropriate teams in South		200		
			Social & Community Services						
	Oct-09	SC2_1H	Adult Protection & Mental Capacity	P	Contract inflation savings in the OP Pool transferred to Safeguarding budgets.		150		
	Oct-09	SC2_3a	OCC Contribution to Mental Health pool	P	Contract inflation savings in the OP Pool transferred to Mental Health budgets.		234		
	Oct-09	SC2_2a	Contribution to OP Pooled Budget	P	Contract inflation savings in the OP Pool transferred to Safeguarding and Mental Health budgets.	-384			
	Oct-09	SC2_4B	Care Management & Social Work	P	Transfer of budget for Information & Commissioning from Care Management & Social Work to Commissioning & Contracts.	-56		56	
	Oct-09	SC2_4A	Commissioning & Contracts	P	Re-positioning of Information and Commissioning within the LD Service.		56		-56
	Oct-09	SC3_4	Supporting People	P	Creation of budget for new Handyperson Grant.		125		-125
			Corporate Core						
	Oct-09	CC7.1	Corporate Performance	P	Move pay budget to Policy	-41			
	Oct-09	CC7.2	Policy	P	Move budget from non-staffing to pay	-41			
	Oct-09	CC7.2	Policy	P	Increase pay budget in Policy to match establishment		82		
	Oct-09	CC5.2	Democratic Services	P	Correction of negotiable service support income budgets			57	
	Oct-09	CC5.1	Legal Services	P	Correction of negotiable service support income budgets				-57
	Oct-09	CC4.1	Finance & Procurement - Service Management	P	Transfer of Salary budget from Service Management to Corporate Finance	-8			
	Oct-09	CC4.2	Finance & Procurement - Corporate Finance	P	Transfer of Salary budget from Service Management to Corporate Finance		8		
	Oct-09	CC4.1	Finance & Procurement - Service Management	P	Increase in the recharge to the pension fund				-7
	Oct-09	CC4.2	Finance & Procurement - Corporate Finance	P	Increase in the recharge to the pension fund		7		
			Environment & Economy						
	Oct-09	EE1.4	Oxfordshire Highways	T	Moving from road maintenance to revenue contribution for the Access to Oxford capital scheme	-450	450		
			Total Intradirectorate Virements			-1,621	1,753	113	-245
			Interdirectorate Virements						
	Oct-09	CYPF4-4	CPQA	P	Budget for Unison to be moved to Corporate Core as agreed by CCMT.	-38			
	Oct-09	CYPF4-7	CPQA	P		-32			
	Oct-09	CYPF1-51	Youth Offending Service	P		-1			
	Oct-09	CC3.3	Strategic HR & OD - Unison	P	Transfer of budget from CYPF to create a central budget for Unison branch officers funded by OCC.		71		
	Oct-09	CYPF4-5	Transport	P	Transfer of staffing budgets to Integrated Transport Unit (E&E)	-493			
	Oct-09	EE1.2.1	Integrated Transport Unit	P	Transfer of staffing budgets to Integrated Transport Unit from CYPF		493		
	Oct-09	CYPF4-7	CPQA	P	Transfer of CRB funding to Shared Services	-6			
	Oct-09	CS6.1.4	Shared Services - HR	P	Transfer of CRB funding from CYPF		6		
			Total Interdirectorate Virements			-570	570	0	0
			TOTAL VIREMENTS approved but not on SAP			-2,191	2,323	113	-245

Virements requiring Cabinet approval are:

1. All permanent virements.
2. Temporary virements between £250,000 and £500,000.

NB: All virements greater than £500,000 will be recommended by Cabinet for approval by Council. This includes the cumulative total of virements that have previously been reported and approved.

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Annex 2d

Virements

NEW VIREMENTS FOR CABINET TO NOTE AND VIREMENTS NOTED IN PREVIOUS REPORTS

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-) £000	To / Increase (+) £000	From / Decrease (+) £000	To / Increase (-) £000
			VIREMENTS TO NOTE THIS REPORT						
			Children, Young People & Families						
	Nov-09	CYPF3-22	Educational Achievement & Service Monitoring	T	OEBP Income & Expenditure Adjustments		25		-25
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T	Creation of Britannia Road Childrens Centre income and expenditure budget		193		-193
	Nov-09	CYPF4-10	Participation & Play	T	Reallocate Additional Funding		150		
	Nov-09	CYPF2-5	Central Costs	T	Reallocate Additional Funding	-150			
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T	Creation of Ambrosden Area Childrens Centre income and expenditure budget		106		-106
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T	Creation of Heyford & Caversfield Area Childrens Centre income and expenditure budget		94		-94
	Nov-09	CYPF3-31	Strategic Management	T	Governor Services - Strategic Lead regrading	-8			
	Nov-09	CYPF3-12	Governor Services	T	Governor Services - Strategic Lead regrading		8		
	Nov-09	CYPF4-2	Commissioning & Partnerships	T	Income and Expenditure Adjustment. Correction to previous virement agreed at June 09 Cabinet		130		-130
	Nov-09	CYPF2-23	Childrens Centres & Childcare Development	T	Setting up Children Centres property recharge budgets		104		
	Nov-09	CYPF2-14	Children Looked After	T	Setting up Children Centres property recharge budgets				-104
	Nov-09	CYPF2-13	Family Placement	T	Reallocate Care Matters Funding	100			
	Nov-09	CYPF2-14	Children Looked After	T	Reallocate Care Matters Funding	65	-190		
	Nov-09	CYPF2-15	Agency Residential Placements	T	Reallocate Care Matters Funding	25			
	Nov-09	CYPF2-23	Childrens Centres & Childcare Development	T	Set up C&AMH income and expenditure budgets		13		-13
	Nov-09	CYPF2-23	Childrens Centres & Childcare Development	T	Adjust Childrens Fund budget		24		-24
	Nov-09	CYPF2-23	Childrens Centres & Childcare Development	T	Parent Talk income and expenditure budget		22		-22
	Nov-09	CYPF2-23	Childrens Centres & Childcare Development	T	Set up C&AMH income and expenditure budgets		13		-13
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T	East Street Childrens Centre premises budget	-5		5	
	Nov-09	CYPF2-24	Childrens Centres & Childcare Development Area Teams	T	Creation of East Street Childrens Centre income and expenditure budget		246		-246
	Nov-09	SC2_1C	Social & Community Services Service Agreements	T	Witney Resource Centre modernisation funding carried forward transferred to OP Pool		129		
	Nov-09	SC2_2f	Internal Day Centres	T	Witney Resource Centre modernisation funding carried forward transferred to OP Pool	-129			
	Nov-09	OP Pool	Older People's Pool	T	Witney Resource Centre modernisation funding carried forward transferred to OP Pool	-129			
	Nov-09	OP Pool	Older People's Pool	T	Witney Resource Centre modernisation funding carried forward transferred to OP Pool			129	
			Community Safety & Shared Services						
	Nov-09	CC4.1	Corporate Core Finance & Procurement - Service Management	T	Transfer of Capital Change Fund Funding		50		
	Nov-09	CC9	Change Fund	T		-50			
			Total Intradirectorate Virements			-281	1,117	134	-970
			Interdirectorate Virements						
	Nov-09	CYPF1-14	Services for Disabled Children	P	Reduction to Green Book Pay Inflation	-9			
	Nov-09	CYPF1-22	Attendance & Welfare	P	Reduction to Green Book Pay Inflation	-5			
	Nov-09	CYPF1-25	Admissions & Student Support	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF1-3	Youth Support Service	P	Reduction to Green Book Pay Inflation	-5			
	Nov-09	CYPF1-41	Performance & Operations	P	Reduction to Green Book Pay Inflation	-15			
	Nov-09	CYPF1-51	Youth Offending Service	P	Reduction to Green Book Pay Inflation	-14			
	Nov-09	CYPF2-12	Children Looked After - Residential	P	Reduction to Green Book Pay Inflation	-10			
	Nov-09	CYPF2-13	Children Looked After - Family Placement	P	Reduction to Green Book Pay Inflation	-8			
	Nov-09	CYPF2-14	Children Looked After	P	Reduction to Green Book Pay Inflation	-11			
	Nov-09	CYPF2-23	Childrens Centres and Childcare Development	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF2-24	Childrens Centres and Childcare Development Area Teams	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF2-31	Family Support & Assessment - Central Support costs	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF2-32	Family Support	P	Reduction to Green Book Pay Inflation	-9			
	Nov-09	CYPF2-33	Assessment	P	Reduction to Green Book Pay Inflation	-9			
	Nov-09	CYPF2-34	Child & Adolescent Mental Health	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF2-4	Safeguarding & Quality Assurance	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF2-5	Central Costs	P	Reduction to Green Book Pay Inflation	-8			
	Nov-09	CYPF3-12	Governor Services	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF3-13	Branch Administration	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF3-22	Educational Achievement & Service Monitoring	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF3-24	Partnership Development & Extended Learning	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF4-1	Planning & Performance	P	Reduction to Green Book Pay Inflation	-3			
	Nov-09	CYPF4-10	Participation & Play	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF4-2	Commissioning & Partnerships	P	Reduction to Green Book Pay Inflation	-1			
	Nov-09	CYPF4-3	Information Management & Business Support	P	Reduction to Green Book Pay Inflation	-2			
	Nov-09	CYPF4-4	Human Resources & Workforce Development	P	Reduction to Green Book Pay Inflation	-4			

September Financial Monitoring Report
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Annex 2d

Virements

NEW VIREMENTS FOR CABINET TO NOTE AND VIREMENTS NOTED IN PREVIOUS REPORTS

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Permanent/ Temporary (P/T)	Details	Expenditure		Income	
						From / Decrease (-)	To / Increase (+)	From / Decrease (-)	To / Increase (+)
						£000	£000	£000	£000
	Nov-09	SC1_1	Library Service	P	Pay Inflation Reduction for Greenbook staff.	-30			
	Nov-09	SC1_2	Heritage & Arts Service	P	Pay Inflation Reduction for Greenbook staff.	-10			
	Nov-09	SC1_3	Cultural & Community Development	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC1_4	Adult Learning	P	Pay Inflation Reduction for Greenbook staff.	-10			
	Nov-09	SC1_5	Music Service	P	Pay Inflation Reduction for Greenbook staff.	-1			
	Nov-09	SC1_6	Registration Service	P	Pay Inflation Reduction for Greenbook staff.	-5			
	Nov-09	SC2_1A	Sensory Impairment	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC2_1B	Occupational Therapy	P	Pay Inflation Reduction for Greenbook staff.	-10			
	Nov-09	SC2_1D	Employment Service	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC2_1E	Adult Placement Service	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC2_1I	One Off Funding Projects	P	Pay Inflation Reduction for Greenbook staff.	-1			
	Nov-09	SC2_1J	Emergency Duty Team	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC2_2B	OP Care Management Teams	P	Pay Inflation Reduction for Greenbook staff.	-21			
	Nov-09	SC2_2J	PD Care Management Teams	P	Pay Inflation Reduction for Greenbook staff.	-4			
	Nov-09	SC2_4A	Commissioning & Contracts	P	Pay Inflation Reduction for Greenbook staff.	-5			
	Nov-09	SC2_4B	Care Management & Social Work	P	Pay Inflation Reduction for Greenbook staff.	-5			
	Nov-09	SC2_4D	Supported Living Internal	P	Pay Inflation Reduction for Greenbook staff.	-19			
	Nov-09	SC2_4E	Day Services Internal	P	Pay Inflation Reduction for Greenbook staff.	-20			
	Nov-09	SC4_1A	Strategy & Transformation - Recharges	P	Pay Inflation Reduction for Greenbook staff.	-1			
	Nov-09	SC4_1B	Information Systems & Processes	P	Pay Inflation Reduction for Greenbook staff.	-4			
	Nov-09	SC4_1C	Facilities Management	P	Pay Inflation Reduction for Greenbook staff.	-15			
	Nov-09	SC4_2A	Strategy	P	Pay Inflation Reduction for Greenbook staff.	-3			
	Nov-09	SC4_2C	Contracts	P	Pay Inflation Reduction for Greenbook staff.	-4			
	Nov-09	SC4_3	Directorate Leadership Team	P	Pay Inflation Reduction for Greenbook staff.	-2			
	Nov-09	SC2_2A	OCC Contribution to OP Pooled Budget	P	Pay Inflation Reduction for Greenbook staff.	-69			
	Nov-09	SC1_2	Heritage & Arts Service	P	Pay Inflation Reduction for Chief Officers.	-1			
	Nov-09	SC2_2B	OP Care Management Teams	P	Pay Inflation Reduction for Chief Officers.	-1			
	Nov-09	SC2_4A	Commissioning & Contracts	P	Pay Inflation Reduction for Chief Officers.	-1			
	Nov-09	SC4_2A	Strategy	P	Pay Inflation Reduction for Chief Officers.	-1			
	Nov-09	SC4_3	Directorate Leadership Team	P	Pay Inflation Reduction for Chief Officers.	-9			
	Nov-09	EE3.1.1	Property Services	P	Pay Inflation Adjustment	-13			
	Nov-09	EE1.1	Transport	P	Pay Inflation Adjustment	-60			
	Nov-09	EE2.1	Sustainable Development	P	Pay Inflation Adjustment	-19			
	Nov-09	EE4.1	Business Improvement	P	Pay Inflation Adjustment	-4			
	Sep-09	CS1.1	Fire & Rescue - Wholetime Operational Staff	P	Amendment of the Grey book pay budgets in line with pay award	-22			
	Sep-09	CS1.2	Fire & Rescue - Service Delivery	P	Amendment of the Grey book pay budgets in line with pay award		2		
	Sep-09	CS1.5	Fire & Rescue - Service Support Management	P	Amendment of the Grey book pay budgets in line with pay award		1		
	Nov-09	CS1.1	Fire & Rescue - Wholetime Operational Staff	P	Amendment of the Green book and Hay pay budgets in line with pay award	-1			
	Nov-09	CS1.4	Fire & Rescue - Business Management	P	Amendment of the Green book and Hay pay budgets in line with pay award	-1			
	Nov-09	CS1.5	Fire & Rescue - Service Support Management	P	Amendment of the Green book and Hay pay budgets in line with pay award	-7			
	Nov-09	CS3	Safer Communities	P	Amendment of the Green book and Hay pay budgets in line with pay award	-1			
	Nov-09	CS4	Gypsy & Travellers Service	P	Amendment of the Green book and Hay pay budgets in line with pay award	-1			
	Nov-09	CS5	Trading Standards	P	Amendment of the Green book and Hay pay budgets in line with pay award	-11			
	Nov-09	CS6.1.1	Shared Services - Central Team	P	Amendment of the Green book and Hay pay budgets in line with pay award	-8			
	Nov-09	CS6.1.2	Shared Services - Financial Services	P	Amendment of the Green book and Hay pay budgets in line with pay award	-13			
	Nov-09	CS6.1.2	Shared Services - Financial Services	P	Amendment of the Green book and Hay pay budgets in line with pay award			4	
	Nov-09	CS6.1.3	Shared Services - FMA	P	Amendment of the Green book and Hay pay budgets in line with pay award	-16			
	Nov-09	CS6.1.4	Shared Services - HR	P	Amendment of the Green book and Hay pay budgets in line with pay award	-24			
	Nov-09	CC1.1	Business Support	P	Inflation pay award adj	-10			
	Nov-09	CC2.1	ICT - Personnel	P	Inflation pay award adj	-32			
	Nov-09	CC2.10	ICT - SAP Competancy Centre	P	Inflation pay award adj	-3			
	Nov-09	CC2.11	ICT - CIMU	P	Inflation pay award adj	-1			
	Nov-09	CC2.7	ICT - Schools Support Service	P	Inflation pay award adj	-2			
	Nov-09	CC3.1	Strategic HR & OD - HR	P	Inflation pay award adj	-7			
	Nov-09	CC3.4	Strategic HR & OD - OD	P	Inflation pay award adj	-2			
	Nov-09	CC3.5	Strategic HR& OD - Contact Centre	P	Inflation pay award adj	-2			
	Nov-09	CC4.1	Finance & Procurement - Service Management	P	Inflation pay award adj	-4			
	Nov-09	CC4.2	Finance & Procurement - Corporate Finance	P	Inflation pay award adj	-5			
	Nov-09	CC4.3	Finance & Procurement - County Procurement	P	Inflation pay award adj	-4			
	Nov-09	CC4.4	Finance & Procurement - Internal Audit	P	Inflation pay award adj	-3			
	Nov-09	CC5.1	Legal Services	P	Inflation pay award adj	-8			
	Nov-09	CC5.2	Democratic Services	P	Inflation pay award adj	-4			
	Nov-09	CC5.6	Political Assistants	P	Inflation pay award adj	-1			
	Nov-09	CC6.1	Partnerships Working	P	Inflation pay award adj	-3			
	Nov-09	CC7.1	Policy Unit - Policy	P	Inflation pay award adj	-2			
	Nov-09	CC7.2	Policy - Corporate Performance	P	Inflation pay award adj	-2			
	Nov-09	CC7.4	Policy - Consultation & Involvement	P	Inflation pay award adj	-1			
	Nov-09	CC7.5	Policy - Change Management	P	Inflation pay award adj	-1			
	Nov-09	CC7.6	Policy - Research & Intelligence	P	Inflation pay award adj	-1			
	Nov-09	CC8.1	Communications, Marketing & Public Affairs	P	Inflation pay award adj	-4			
	Nov-09	SM	Strategic Measures	P	Pay Inflation Adjustment		693		
					Total Interdirectorate Virements	-700	696	4	0
					TOTAL VIREMENTS TO NOTE THIS REPORT	-981	1,813	138	-970

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Annex 2a

Cumulative Virements to Date

Budget Book Ref	Total Temporary Virements Previously Approved (on SAP)	Temporary Virements Approved in Last Report (not on SAP)	Temporary Virements Requested in this Report	Cumulative Total of Temporary Virements Approved and Requested	Total Permanent Virements Previously Approved (on SAP)	Permanent Virements Approved in Last Report (not on SAP)	Permanent Virements Requested in this Report	Cumulative Total of Permanent Virements Approved and Requested	Total virements	Virements already approved by council	Virements not deemed to be policy changes	Reset total	Traffic Light Indicator - positive	Traffic Light Indicator - negative
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000		
Children, Young People & Families														
CYPF1-13 Expenditure					-3	3		-3						
CYPF1-13 Income								3						
CYPF1-14 Net					-42			-42						
CYPF1-14 Expenditure					37			37						
CYPF1-14 Income					-5			-5						
CYPF1-21 Net					-37			-37						
CYPF1-21 Expenditure														
CYPF1-21 Income					-37			-37						
CYPF1-22 Net					257			257						
CYPF1-22 Expenditure					-262			-262						
CYPF1-22 Income					-5			-5						
CYPF1-26 Net					42			42						
CYPF1-26 Expenditure														
CYPF1-26 Income														
CYPF1-3 Net					42			42						
CYPF1-3 Expenditure					-611			-611						
CYPF1-3 Income					461			461						
CYPF1-41 Net					-150			-150						
CYPF1-41 Expenditure					-15			-15						
CYPF1-41 Income					-441			-456						
CYPF1-51 Net					-15			-15						
CYPF1-51 Expenditure					196			194						
CYPF1-51 Income					-207			-207						
CYPF2-11 Net					-12			-12						
CYPF2-11 Expenditure					-28			-28						
CYPF2-11 Income					28			28						
CYPF2-21 Net					793			793						
CYPF2-21 Expenditure					-1,041			-973						
CYPF2-21 Income					-15			-15						
CYPF2-22 Net					-248			-68						
CYPF2-22 Expenditure					45			45						
CYPF2-22 Income					-68			-68						
CYPF2-23 Net					45			45						
CYPF2-23 Expenditure					-10			-10						
CYPF2-23 Income					8			8						
CYPF2-24 Net					-2			-2						
CYPF2-24 Expenditure					139			139						
CYPF2-24 Income					-9			-9						
CYPF2-24 Net					130			130						

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Annex 2a

Cumulative Virements to Date

Budget Book Ref	Total Temporary Virements Previously Approved (on SAP)	Temporary Virements Approved in Last Report (not on SAP)	Temporary Virements Requested in this Report	Cumulative Total of Temporary Virements Approved and Requested	Total Permanent Virements Previously Approved (on SAP)	Permanent Virements Approved in Last Report (not on SAP)	Permanent Virements Requested in this Report	Cumulative Total of Permanent Virements Approved and Requested	Total virements	Virements already approved by council	Virements not deemed to be policy changes	Reset total	Traffic Light Indicator - positive	Traffic Light Indicator - negative
CYPF2-32	Expenditure				24	200	160	384						
CYPF2-32	Income								384			384	G	
CYPF2-33	Net				24	200	160	384						
CYPF2-33	Expenditure				-27			-27						
CYPF2-33	Income				18			18				-9	G	
CYPF2-4	Net				-9			-9						
CYPF2-4	Expenditure				155			155						
CYPF2-4	Income													
CYPF2-5	Net	-150			155			155				155	G	
CYPF2-5	Expenditure				-165	-200	-160	-525						
CYPF2-5	Income													
CYPF3-22	Net	-150			-165	-200	-160	-525				-675	G	R
CYPF3-22	Expenditure	25			-63		-168	-231						
CYPF3-22	Income	-25			-8		49	41						
CYPF4-1	Net				-71		-119	-190				-190	G	
CYPF4-1	Expenditure				375		12	387						
CYPF4-1	Income				-351			-351						
CYPF4-2	Net				24		12	36				36	G	
CYPF4-2	Expenditure	164			241			241						
CYPF4-2	Income	-164			-11			-11						
CYPF4-4	Net				230	-38		230				230	G	
CYPF4-4	Expenditure	51			-4			-42						
CYPF4-4	Income				-4	-38		-42				9	G	
CYPF4-5	Net	51			-89	-52		-141						
CYPF4-5	Expenditure	-13			6			6						
CYPF4-5	Income				-83	-52		-135				-148	G	
CYPF4-7	Net	-13			-105	-38		-143						
CYPF4-7	Expenditure													
CYPF4-7	Income				-105	-38		-143				-143	G	
CYPF4-10	Net				271			271						
CYPF4-10	Expenditure	150			88			88						
CYPF4-10	Income				-183			-183						
CYPF5-1	Net	150			-262			-262				238	G	
CYPF5-1	Expenditure				262			262						
CYPF5-1	Income													
CYPF5-2	Net				-797			-797						
CYPF5-2	Expenditure				797			797						
CYPF5-2	Income													
Total CYP&F	Expenditure	2,276			277	-570		-293	2,966					
Total CYP&F	Income	-2,225			-489			-489	-3,697					
Total CYP&F	Net	51			-212	-570		-782	-731					

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Annex 2a

Cumulative Virements to Date

Budget Book Ref	Total Temporary Virements Previously Approved (on SAP)	Temporary Virements Approved in Last Report (not on SAP)	Temporary Virements Requested in this Report	Cumulative Total of Temporary Virements Approved and Requested	Total Permanent Virements Previously Approved (on SAP)	Permanent Virements Approved in Last Report (not on SAP)	Permanent Virements Requested in this Report	Cumulative Total of Permanent Virements Approved and Requested	Total virements	Virements already approved by council	Virements not deemed to be policy changes	Reset total	Traffic Light Indicator - positive	Traffic Light Indicator - negative
SC4_3	Expenditure	-40		-40	-31			-31	-71					
SC4_3	Income							-31	-550					
SC4_3	Net	-40		-40	-31			-31	-71				G	
Total SCS	Expenditure	131		131	-1,153	125	347	-681	-758					
	Income				264	-125	-347	-208	-208					
	Net	131		131	-889			-889						

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Cumulative Virements to Date

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Environment and Economy														
EE1.1 Expenditure	434			434	-60			-60			350			
EE1.1 Income														
EE1.1 Net	434			434	-60			-60	374		350	24	G	G
EE1.2 Expenditure	414			414	50			50			398			
EE1.2 Income														
EE1.2 Net	414			414	50			50	464		398	66	G	G
EE1.2.1 Expenditure						493		493						
EE1.2.1 Income														
EE1.2.1 Net						493		493	493			493	A	G
EE1.3 Expenditure	141			141							141			
EE1.3 Income														
EE1.3 Net	141			141					141		141		G	G
EE1.4 Expenditure	905			905	21			21			889			
EE1.4 Income														
EE1.4 Net	905			905	21			21	-884		-889	5	G	G
EE2.1 Expenditure	23			23	-19			-19						
EE2.1 Income														
EE2.1 Net	23			23	-19			-19	4			4	G	G
EE2.3.1 Expenditure	148			148										
EE2.3.1 Income	-148			-148										
EE2.3.1 Net													G	G
EE2.4 Expenditure					-223			-223						
EE2.4 Income					223			223						
EE2.4 Net													G	G
EE2.5 Expenditure					209			209						
EE2.5 Income					-209			-209						
EE2.5 Net													G	G
EE3.1.1 Expenditure	13			13	-12			-12						
EE3.1.1 Income														
EE3.1.1 Net	13			13	-12			-12	1			1	G	G
EE3.1.3 Expenditure					33			33						
EE3.1.3 Income														
EE3.1.3 Net					33			33	33			33	G	G
EE3.1.4 Expenditure					-21			-21						
EE3.1.4 Income														
EE3.1.4 Net					-21			-21	-21			-21	G	G
EE4.1 Expenditure	2			2	-2			-2						
EE4.1 Income														
EE4.1 Net	2			2	-2			-2	-2			-2	G	G
Total EE	270	-146		270	-24	493	-4	465	735					
Income				-146	14			14	-132					
Net	124			124	-10	493	-4	479	603					

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Cumulative Virements to Date

Budget Book Ref	Total Temporary Virements Previously Approved (on SAP)	Temporary Virements Approved in Last Report (not on SAP)	Temporary Virements Requested in this Report	Cumulative Total of Temporary Virements Approved and Requested	Total Permanent Virements Previously Approved (on SAP)	Permanent Virements Approved in Last Report (not on SAP)	Permanent Virements Requested in this Report	Cumulative Total of Permanent Virements Approved and Requested	Total virements	Virements already approved by council	Virements not deemed to be policy changes	Reset total	Traffic Light Indicator - positive	Traffic Light Indicator - negative
Community Safety & Shared Services														
CS1.1	Expenditure				-12			-12						
CS1.1	Income													
CS1.1	Net				-12			-12	-12			-12	G	G
CS1.2	Expenditure				-820			-820			-820			
CS1.2	Income													
CS1.2	Net				-820			-820	-820				G	G
CS1.3	Expenditure													
CS1.3	Income				8			8						
CS1.3	Net				-8			-8					G	G
CS1.4	Expenditure				-345			-345			-568			
CS1.4	Income				9			9						
CS1.4	Net				-336			-336	-336		-568	232	G	G
CS1.5	Expenditure				1,140			1,140			1,388	-248	G	G
CS1.5	Income								1,140					
CS1.5	Net				1,140			1,140						
CS4	Expenditure				447			447						
CS4	Income				-449			-449						
CS4	Net				-2			-2	-2			-2	G	G
CS5	Expenditure				-10			-10						
CS5	Income													
CS5	Net				-10			-10	-10			-10	G	G
CS6.1.1	Expenditure				322			322						
CS6.1.1	Income				-215			-215						
CS6.1.1	Net				107			107	107			107	G	G
CS6.1.2	Expenditure				6			6						
CS6.1.2	Income				59			65						
CS6.1.2	Net				65			65	65			65	G	G
CS6.1.3	Expenditure	-6		-6	-40			-95						
CS6.1.3	Income				-1			-1						
CS6.1.3	Net				-41			-96	-102			-102	G	G
CS6.1.4	Expenditure	-193		-193	295		6	303						
CS6.1.4	Income	-37		-37	-85			-85						
CS6.1.4	Net				210		6	218						
CS6.2	Expenditure	-230		-230	-93			-93	-12			-12	G	G
CS6.2	Income													
CS6.2	Net				-93			-93	-93			-93	G	G
Total	Expenditure	-199		-199	897	6	-53	850						
CS&SS	Income	-37		-37	-690			-690						
Net	Net	-236		-236	207	6	-53	160	-76			-76		

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Annex 2a

Cumulative Viirements to Date

Budget Book Ref	Total Temporary Viirements Previously Approved (on SAP)	Temporary Viirements Approved in Last Report (not on SAP)	Temporary Viirements Requested in this Report	Cumulative Total of Temporary Viirements Approved and Requested	Total Permanent Viirements Previously Approved (on SAP)	Permanent Viirements Approved in Last Report (not on SAP)	Permanent Viirements Requested in this Report	Cumulative Total of Permanent Viirements Approved and Requested	Total viirements	Viirements already approved by council	Viirements not deemed to be policy changes	Reset total	Traffic Light Indicator - positive	Traffic Light Indicator - negative
CC6.2 Expenditure					-194			-194						
CC6.2 Income									-194			-194	G	
CC6.3 Net					-194	157		157						
CC6.3 Expenditure														
CC6.3 Income												157	G	
CC6.4 Net					157			157						
CC6.4 Expenditure	15			15	-211			-211						
CC6.4 Income														
CC6.5 Net	15			15	-211			-211	-196			-196	G	
CC6.5 Expenditure					-160			-160						
CC6.5 Income												-160	G	
CC7.1 Net					-2	-41		-43						
CC7.1 Expenditure														
CC7.1 Income					-2	-41		-43	-43			-43	G	
CC7.2 Net	101			101	95	41		136						
CC7.2 Expenditure														
CC7.2 Income					95	41		136	237			237	G	
CC7.4 Net	101			101	-43			-43						
CC7.4 Expenditure	51			51										
CC7.4 Income					-43			-43	8			8	G	
CC7.5 Net	22			22	-96			-96						
CC7.5 Expenditure														
CC7.5 Income					-96			-96						
CC8.1 Net	22			22	-139			-139	-74			-74	G	
CC8.1 Expenditure														
CC8.1 Income					139			139						
CC8.2 Net					-1			-1						
CC8.2 Expenditure														
CC8.2 Income														
CC9 Net	-440		100	-340					-1			-1	G	
CC9 Expenditure														
CC9 Income														
CC10.1 Net	-440		100	-340	14			14	-340			-340	G	
CC10.1 Expenditure														
CC10.1 Income					14			14						
CC10.2 Net					14			14	14			14	G	
CC10.2 Expenditure					7			7						
CC10.2 Income														
Total CC	-70			-70	-274	78	57	-139	-209					
Expenditure					550	-7	57	543	543					
Income					276	71	57	404	334			334		
Net														

Total Directorate Viirements	Expenditure	2,408		983	-277	132	347	202	3,593					
Income	-2,408		-983	-351	-132	-347	-630	-4,221	-4,221					
Net				-628			-628	-628	-628			258		

KEY TO TRAFFIC LIGHTS

Cumulative viirements (permanent and temporary) below £400,000	G
Cumulative viirements (permanent and temporary) above £400,000 - close to requiring Council approval	A
Cumulative viirements (permanent and temporary) above £500,000 - requires Council approval	R

September Financial Monitoring Report
CABINET - 24 November 2009

Annex 2f

Supplementary Estimates

Report Paragraph Reference	Cabinet Date	Budget Book Ref	Service Area	Details	£000	Repayable/ Non-repayable
13	Jul-09	CYFP5-2	SUPPLEMENTARY ESTIMATES PREVIOUSLY REPORTED Non devolved school costs	DSG inflation imbalance	215	Non-repayable
				TOTAL SUPPLEMENTARY ESTIMATES PREVIOUSLY REPORTED	215	
			SUPPLEMENTARY ESTIMATES ACTIONED THIS REPORT			
4 & 16b	Sep-09	EE3	Property Services	Third Party legal costs	160	Non-repayable
				TOTAL SUPPLEMENTARY ESTIMATES THIS REPORT	160	
				TOTAL SUPPLEMENTARY ESTIMATES ANNEX 1 (Col 6)	375	

			SUPPLEMENTARY ESTIMATES REQUESTED THIS REPORT			
				TOTAL SUPPLEMENTARY ESTIMATES THIS REPORT	0	

MEMORANDUM

SUPPLEMENTARY ESTIMATES PREVIOUSLY APPROVED BUT NOT ACTIONED DUE TO TIMING OF DECISION AND MONTH ENC

**September Financial Monitoring Report
CABINET - 24 November 2009
Specific Grants Monitoring 2009/10**

Annex 3a

Ringfenced	Notification	Directorate	Unused Grant Income carried forward from 2008/09	2009/10 Grant Income per Budget Book Original Estimate	Previously Reported changes to existing grants	New Grants/ Changes to existing grants this MMR	Total Grant Funding Available in 2009/10	Total variation to 2009/10 Grant Income per Budget Book	Grant Funded Expenditure to Date	Balance Remaining	% Remaining	Forecast Expenditure to 31 March 2010	Balance that can be carried forward (subject to approval from grant body)
			£000	£000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
R	F	Children, Young People & Families	1,188	317,154	4,523		322,865	5,711	161,433	161,432	50%	322,865	0
R	P	Dedicated Schools Grant (DSG)	3,461	18,555	7,503		29,519	10,964	14,760	14,760	50%	29,519	0
R	F	Standards Fund	0	12,298		5,406	17,704	5,406	8,852	8,852	50%	17,704	0
R	FC	Sure Start General	28	14,706	-2,067		12,667	-2,039	6,334	6,333	50%	12,667	0
R	F	Pathfinder	0	0	776		776	776	388	388	50%	776	0
OS	P	Learning & Skills Council	541	28,919	-41		29,419	500	7,151	22,268	76%	29,419	0
R	C	Asylum Seekers		1,285			1,285	0	902	383	30%	1,627	342
		Transformation Fund		211			211	0	106	105	50%	211	0
		Workforce Modernisation & Development		183	1		184	1	46	138	75%	184	0
R	P	School Support Staff training and qualifications		0	210		210	210	20	190	90%	210	0
R	P	Golden hellos for newly qualified teachers		0	341		341	341	302	39	11%	341	0
		Parenting Strategy Support Grant	17	353			370	17	82	288	78%	370	0
		Contact Point	263	230			493	263	86	407	83%	493	0
		Youth Opportunity Fund	37	346			383	37	214	169	44%	383	0
		Youth Justice Board		943	183		1,126	183	699	427	38%	1,126	0
	FC	DCSF - Family Intervention project		0	113		113	113	0	113	100%	113	0
R	FC	DCSF - MTFC-P	379	0	305		684	684	140	544	80%	400	-284
R	C	DCSF - KEEP PROJECT	30	0			30	30	0	30	100%	30	0
		Environmental arts project	11	0			11	11	6	5	45%	11	0
		CLG - PSA Pump Priming Grant	105	0			105	105	53	52	50%	105	0
	P	Leaving Care, Unaccompanied Asylum Seekers		427			427	0	80	347	81%	598	171
R	F	Probation (Home Office)	57	0	99		156	156	156	0	0%	156	0
R	F	DFCA - Young Victims	63	0			63	63	47	16	25%	63	0
R	F	Huntercombe Young Offenders Institution	0	0	135		135	135	135	0	0%	135	0
R	F	Thames Valley Police	0	0	145		145	145	145	0	0%	145	0
R	F	Oxford PCT Partnership Funding	0	0	15		15	15	15	0	0%	15	0
		DCSF - Play Pathfinder	0	0	162		162	162	6	156	96%	162	0
		DCSF - V Programme	0	0	143		143	143	47	96	67%	143	0

Notification	Directorate	Unused Grant Income carried forward from 2008/09	2009/10 Grant Income per Budget Book Original Estimate	Previously Reported changes to existing grants	New Grants/ Changes to existing grants this MMR	Total Grant Funding Available in 2009/10	Total variation to 2009/10 Grant Income per Budget Book	Grant Funded Expenditure to Date	Balance Remaining	% Remaining	Forecast Expenditure to 31 March 2010	Balance that can be carried forward (subject to approval from grant body)
Ringfenced		£000	£000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
R F C	Social & Community Services	63	132			195	63	18	0	91%	120	75
OS P	AIDS & HIV Training	344	4,241	-628		3,957	-284	1,979	1,777	50%	3,957	0
U C	Learning & Skills Council - Adult Education		135	-110	-25	0	-135	0	0	0%	0	0
R F	New Deal	454	1,853			2,307	454	475	1,832	79%	2,307	0
OS C	Social Care Reform Grant			8		8	8	4	4	50%	8	0
R P	General Registrars Office		736			736	0	368	368	50%	736	0
R F	Standards Fund (Music Service)	1,364	17,019			18,383	1,364	9,379	9,004	49%	18,383	0
OS C	Supporting People		312	-64		248	-64	110	138	56%	248	0
R F	Workstep			29		29	29	15	14	48%	29	0
U C	LD Campus Closure			12		12	12	6	6	50%	12	0
R F	Information Advice Guidance	102		111		213	213	62	151	71%	171	42
R F	Adult Stroke Services			125		125	125	0	125	100%	125	0
R F	Minor Repairs and Adaptations "Handyperson" Funding				39	39	39	0	39	100%	9	30
R F	National Dementia Strategy											
OS P C	Environment & Economy											
	Countryside Agency	23	234			257	23	129	128	50%	257	0
R C	Community Safety & Shared Services											
	New Burdens Grant*	144	107	8		259	152	130	129	50%	259	0
	Milk Grant		25			25	0	10	15	60%	25	0
	Corporate Core											
	MKOB Improvement Grant	36		232		268	268	140	128	48%	268	0
	TOTAL SPECIFIC GRANTS	8,710	420,404	12,269	5,420	446,803	26,399	215,027	231,774	52%	446,885	376

* The timing of when New Burdens Grant is spent is dependent on the progress of the Regional Fire Control project

Ringfenced

R Ringfenced

U Un-ringfenced

OS Outside Aggregate External Finance therefore R/U not applicable. Assume conditions attached therefore ringfenced

Notification

P Provisional Notification Received

F Final Notification Received

C Claim Required

**September Financial Monitoring Report
CABINET - 24 November 2009**

Annex 3b

CHANGES TO SPECIFIC GRANTS FOR CABINET TO NOTE

Cabinet Date	Ringfenced	Notification	Budget Book Ref	Service Area	Details	Expenditure		Income	
						From / Decrease (-) £000	To / Increase (+) £000	From / Decrease (+) £000	To / Increase (-) £000
Oct-09	R	F	CYPF5-1	Children, Young People & Families School Standards	Revised notification		5,406		-5,406
Nov-09	U	C	SC2_1d	Social & Community Services Employment Services	Pathways	-25		25	
Nov-09	R	P	SC2_1l	One-Off Funding Projects	Dementia Grant		39		-39
					TOTAL CHANGES TO SPECIFIC GRANTS	-25	5,445	25	-5,445

Ringfenced

R Ringfenced
U Un-ringfenced
OS Outside Aggregate External Finance therefore R/U not applicable. Assume conditions attached therefore ringfenced

Notification

P Provisional Notification Received
F Final Notification Received
C Claim Required

September Financial Monitoring Report
CABINET - 24 November 2009
Area Based Grant Monitoring 2009/10

CA6

Annex 3c

Ringfenced	Notification	Directorate	Grant Income per Budget Book Original Estimate £000	Previously Reported £'000	New Grants/ Changes to Existing Grants this MMR £'000	Current Grant Amount Revised Estimate £'000	Current Variation to Budget Book Original Estimate £'000	Grant Expenditure to Date £'000	Balance Remaining £'000	% Remaining	Forecast Expenditure to 31 March 2010 £'000
		Children, Young People & Families									
U	F	Child & Adolescent Mental Health Grant	739			739	0	0	739	100%	739
U	F	Carers Grant (Children)	449			449	0	331	118	26%	449
U	F	Children's Fund	869			869	0	373	496	57%	869
U	F	Connexions	4,669			4,669	0	1657	3,012	65%	4,669
U	F	Positive Activities for Young People	306			306	0	145	161	53%	306
U	F	Young People Substance Mis-Use	107			107	0	0	107	100%	107
U	F	Young People Substance Mis-Use Partnership Grant	81			81	0	0	81	100%	81
		Former Standards Fund:									
U	F	School Development Grant - LA element	1,835			1,835	0	29	1,806	98%	1,205
U	F	Extended Schools Start Up costs	1,593			1,593	0	98	1,495	94%	1,593
U	F	School Improvement Partners	289			289	0	166	123	43%	289
U	F	Education Health Partnerships	120			120	0	38	82	68%	120
U	F	Choice Advisers	37			37	0	5	32	86%	37
U	F	School Intervention	189			189	0	53	136	72%	189
U	F	Flexible 14-19 Partnership Funding	159			159	0	95	64	40%	159
U	F	Extended Rights to Free Travel	329			329	0	0	329	100%	29
U	F	Sustainable Travel	52			52	0	0	52	100%	52
U	F	Secondary National Strategy - Behaviour & Att	183			183	0	53	130	71%	183
U	F	Secondary National Strategy - Central Co-ordination	267			267	0	105	162	61%	267
U	F	Primary National Strategy - Central Co-ordination	320			320	0	172	148	46%	320
U	F	Teenage Pregnancy	160			160	0	74	86	54%	160
U	F	Care Matters White Paper	345			345	0	173	173	50%	345
U	F	Child Death Review Processes	56			56	0	28	28	50%	56
U	F	Child Trust Fund	6			6	0	0	6	100%	6
U	F	Designated Teacher Funding		44			44	0	44	100%	44

September Financial Monitoring Report
CABINET - 24 November 2009
Area Based Grant Monitoring 2009/10

CA6

Annex 3c

Ringfenced	Notification	Directorate	Grant Income per Budget Book Original Estimate £000	Previously Reported £'000	New Grants/ Changes to Existing Grants this MMR £'000	Current Grant Amount Revised Estimate £'000	Current Variation to Budget Book Original Estimate £'000	Grant Expenditure to Date £'000	Balance Remaining £'000	% Remaining	Forecast Expenditure to 31 March 2010 £'000
		Social & Community Services									
U	F	Carers Grant	1,795			1,795	0	512	1,283	71%	1,795
U	F	Mental Health Advocacy grant	283			283	0	142	141	50%	283
U	F	Mental Health Grant	1,233			1,233	0	617	616	50%	1,233
U	F	Preserved Rights	2,794			2,794	0	1,397	1,397	50%	2,794
U	F	Supporting People Administration	374			374	0	208	166	44%	374
U	F	Learning Disabilities Development Fund	367			367	0	184	183	50%	367
U	F	Local Involvement Networks	223			223	0	112	111	50%	223
U	F	Social Care Checks		2	-2	0	0	0	0	0%	0
		Environment & Economy									
U	F	Rural Bus Services Grant	1,634			1,634	0	817	817	50%	1,634
U	F	School Travel Advisers Grant	92			92	0	46	46	50%	92
U	F	Detrunking of Non-Core Routes	1,703			1,703	0	852	852	50%	1,703
U	F	Road Safety Partnerships	1,190			1,190	0	595	595	50%	1,190
		Community Safety									
U	F	Stronger Safer Communities Fund	652			652	0	163	489	75%	652
U	F	Adult Social Care Workforce (transferred from S&CS to Shared Services)	1,373	-105		1,268	-105	634	634	50%	1,268
U	F	Children's Social Care Workforce		137		137	137	69	69	50%	137
		Total Area Based Grants	26,873	78	-2	26,949	76	9,943	17,009	63%	26,019

Ringfenced

R

Ringfenced

U

Un-ringfenced

OS

Outside Aggregate External Finance therefore R/U not applicable. Assume conditions attached therefore ringfenced

P

Notification

Provisional Notification Received

F

Final Notification Received

C

Claim Required

Page 57

	2009/2010 as at September - 09				Commentary
	Balance at 1 April 2009 £000	Forecast Movement		Forecast Balance at 31 March 2010 £000	
		Contributions from Reserve £000	Contributions to Reserve £000		
Children Young People & Families					
Primary	9,097			9,097	0
Secondary	2,515			2,515	0
Special	1,827			1,827	0
Sub total schools' revenue reserves	13,439	0	0	13,439	0
School Loans	-1,488			-1,488	0
Capital	770			770	0
Total schools' reserves	12,721	0	0	12,721	0
Food with Thought/Quest	1,203			1,203	0
Schools Contingency	-24			-24	0
Schools Partnerships	805			805	0
Schools Insurance	265			265	0
Youth Management Committee	374			374	0
Supply Cover	2,800			2,800	0
Maternity Leave	-2,892			-2,892	0
CYPF general reserve	1,000		523	1,523	0
Children & Families Reserve	0			0	0
Directorate Total	16,252	0	523	16,775	0
Social & Community Services					
Registration Service	115			115	0
Cultural Services General	106		59	165	0
CT/Digitisation projects	707	-22	131	838	-22
Vehicle Renewals	119		52	171	0
Donations	25			25	0
Adult Learning (CECs accumulated Surplus)	117			117	0
Materials Development Reserve	76			76	0
Learning Disabilities Pooled Budget	-480		480	0	0
Older People Pooled Budget Reserve	1,130	-1,130		0	0
OSJ Client Income	64			64	0
S117 Reserve	760			760	0
Directorate Total	2,739	-672	242	2,309	-22

	2009/2010 as at September - 09				Change in closing balance forecast £000	Commentary
	Balance at 1 April 2009 £000	Contributions from Reserve £000	Forecast Movement Contributions to Reserve £000	Forecast Balance at 31 March 2010 £000		
Environment & Economy						
Countryside Ascot Park	16			16	0	
Countryside Publications	0			0	0	
Highways Winter Maintenance	18			18	0	
Dix Pit WRC Development	13			13	0	
Landfill Allowance Trading Scheme	0			0	0	
Vehicle Renewals	61			61	0	
On Street Car Parking	1,847	-1,038	623	1,432	0	On-street parking contract costs now based on the new contract values, which are lower than originally estimated. Park and Ride sites also estimated to be £250k less than originally thought, offset by unrealised additional income targets.
Dix Pit Engineering Works	532			532	102	
Waste Management	835	-65	167	835	0	
Better Working Initiatives	69			69	0	
Oxfordshire Waste Partnership Joint Reserve	487			487	0	
Directorate Total	3,878	-1,103	790	3,463	102	
Community Safety						
Fire & Rescue						
Protective Clothing	38	-33		5	0	
Breathing Apparatus Equipment	76			76	0	
Rescue Equipment	33	-10		33	-10	
Communications Fund	59	-50		9	0	
Vehicles	368	-725	815	458	0	
IT	35	-35		0	0	
Fire Control/Fire Link	532	-65		467	0	
Emergency Planning	20			20	0	
Trading Standards					0	
Vehicles	7			7	0	
Trainee Reserve	12			12	0	
Gypsy & Traveller Services - Refurbishment	73		50	123	0	
Shared Services					0	
Shared Services Funding Reserve	2,024	-3,250	4,641	3,415	0	Revisions to cash flow forecast
Money Management Reserve	20			20	0	
Directorate Total	3,297	-4,168	5,506	4,635	-10	

	2009/2010 as at September - 09				August-09 Forecast Balance at 31 March 2010 £000	Change in closing balance forecast £000	Commentary
	Balance at 1 April 2009 £000	Contributions from Reserve £000	Forecast Movement Contributions to Reserve £000	Forecast Balance at 31 March 2010 £000			
Corporate Core							
Change Fund	1,055	-1,055		0	0	0	Assumes the balance currently unallocated (£0.194m) will be used
SAP for Schools	332	-332		0	0	0	Final election costs not yet known
Council Elections	356	-356		0	0	0	
FMSIS Audit	132	-132		0	0	0	
Schools ICT	1,811	-1,811		0	0	0	
Sims Support Service	81	-81		0	0	0	
SAP Competency Centre	298	-298		0	0	0	
IT Development Fund	807	-807		0	0	0	
Directorate Total	4,872	-4,872	0	0	0	0	
Corporate							
Insurance Reserve	4,604			4,604	4,604	0	Carry forwards from 2007/08 and 2008/09 agreed for use in 2009/10 by Cabinet on 23 June 2009.
Carry Forward Reserve	2,535	-6,624		-4,089	-6,277	2,188	
Capital Reserve	8,027			8,027	8,027	0	
Other Reserves	-2			-2	-2	0	
LABGI Reserve	944	-629	439	754	754	0	
Budget Reserve - Agreed 2007	3,849	-3,849		0	0	0	
Budget Reserve - Agreed 2009	0		5,931	5,931	5,931	0	Transfer excess over £19.0m at 2008/09 year end to Efficiency Savings Reserve in 2009/10
Efficiency Savings Reserve			1,880	1,880	1,187	693	
Prudential Borrowing Reserve	1,350		1,350	2,700	2,700	0	
Corporate Total	21,307	-11,102	9,600	19,805	16,924	2,881	
Total	52,345	-21,917	16,661	47,089	44,138	2,951	

September Financial Monitoring Report
CABINET - 24 November 2009
Forecast Year End Revenue Balances

Annex 5

Date	Forecast 2009/10		Budget 2009/10
	£m	£m	£m
Provisional outturn 2008/09 net of City Schools	20.187		19.000
City Schools Reorganisation brought forward from 2008/09	1.369		1.369
County Fund Balance		21.556	20.369
Planned Use of Balances		-5.131	-5.131
Less City Schools Reorganisation to be carried forward		-0.775	-0.775
Original forecast outturn position 2009/10		15.650	14.463
Additions			
May-09 Surplus grant repaid in May 2009 in respect of a company liquidation	0.078		
Oct-09 Correction to grant repayment - this is a capital grant	-0.078		
		0.000	0.000
Calls on balances deducted			
Apr-09 Transfer excess over £19.0m at 2008/09 year end to Efficiency Savings Reserve in 2009/10	-1.187		
May-09 Supplementary Estimate for DSG inflation imbalance	-0.215		
Jul-09 Supplementary estimate for third party legal fees	-0.160		
		-1.562	-2.000
Net forecast		14.088	12.463

Total budget requirement	379.170	379.170
Provisional balances as a % of budget requirement	3.72%	3.29%

Net Forecast	14.088
Calls on balances agreed but not actioned	
	0.000
Calls on balances requested in this report	
	0.000
Revised forecast position	14.088

Consolidated Revenue Balances

Provisional outturn 2008/09 net of City Schools	20.187
Less forecast year end balances as at September 2009 net of City Schools	-14.088
Add 2009/10 City Schools repayment	0.594
Forecast movement on County Fund Balance	<u>6.693</u>

MONITORING OF ACTIVITY & UNIT COST VARIATIONS AS AT 30 SEPTEMBER 2009

Annex 6

Ref	Service Area	Activity	Activity Level (Year End Forecast)			Unit	Unit Costs (Year End Forecast)			Comments
			1 April 2009	30 Sept 2009	Variation		1 April 2009	30 Sept 2009	Variation	
CHILDREN, YOUNG PEOPLE & FAMILIES										
CY1.11	Home to School & College Transport									
CYPF1.11A	Mainstream Transport	No. of pupils travelling	13,044	12,874	-170	Average cost per child	665	671	6	
CYPF1.11B	SEN Transport	No. of pupils travelling	1,063	1,148	85	Average cost per child	5,262	4,680	-582	
CYPF1.11C	Transport to Colleges	No. of pupils travelling	512	518	6	Average cost per child	1,647	1,628	-19	
CY2.1	Children Looked After									
CYPF2.14	Children Looked After Teams	No. looked after children	413	423	10	Average cost per child			0	
CYPF2.14	Asylum Seekers	No. unaccompanied children supported	173	205	32	Cost per year			n/a	
CYPF2.15	Agency Residential Placements	No. IFA placement weeks	3,350	3,151	-199	Average cost per week	773.05	779.85	6.80	
		No. Residential placement weeks (under 16)	1,419	1,400	-19	Average cost per week	3,096.56	3,416.70	320.14	
		No. Criminal Remand placement weeks	60	15	-45	Average cost per week	1,753.57	2,379.33	625.76	
		No. Welfare Secure placement weeks	99	51	-48	Average cost per week	4,831.41	4,976.02	144.61	
		No. Parent & Baby placement weeks	285	243	-42	Average cost per week	1,102.15	1,335.22	233.07	
		No. foster care placement weeks			n/a	Average cost per week			n/a	
CY3.1	Schools Services									
	Food with Thought	Average no. of daily meals			0					
SOCIAL & COMMUNITY SERVICES										
SC1	Community Services									
SC1.1	Library Service	Books issued	4,105,193	4,305,400	200,207	N/A				
SC2	SOCIAL CARE FOR ADULTS									
SC2.2c	Older People - External Home Support	No. of clients receiving home care from external providers	1,633	1,711	78	Average cost per hour	23.71	24.87	1.16	
SC2.2d	Older People - Internal Home Support	No. of clients receiving home care from internal providers	540	551	11	Average weekly cost per client	218.98	221.56	2.58	
SC2.2e	Older People - Fairer Charging Income	No. of full cost clients	599	713	114	Average weekly charge per full cost client	104.81	117.30	12.49	
		No. of non-full cost clients	2,435	2,382	-53	Average weekly charge per non full cost client	15.52	16.62	1.10	
SC2.4d	Learning Disabilities - Supported Living	No. of clients in Supported Living	97	97	0	Per Client per Week	804.10	793.09	-11.01	
					0					

MONITORING OF ACTIVITY & UNIT COST VARIATIONS AS AT 30 SEPTEMBER 2009

Annex 6

Ref	Service Area	Activity	Activity Level (Year End Forecast)			Unit	Unit Costs (Year End Forecast)			Comments
			1 April 2009	30 Sept 2009	Variation		1 April 2009	30 Sept 2009	Variation	
	Pooled Budgets						£	£	£	
	Older People	No. of beds	850	842	-8	Average cost per bed per week	578.83	567.45	-11.38	
	Care beds with nursing	No. of beds	832	836	4	Average cost per bed per week	556.06	556.59	0.53	
	Other residential beds									
	Physical Disabilities									
	Residential & Nursing	No. of beds	70	71	1	Average cost per bed per week	735.12	699.97	-35.15	
	External Home Support	Average hours per week	2,435	3,138	703	Average cost per hour	29.55	28.99	-0.56	Activity figures and unit costs have been restated for 1st April. Direct payments have been excluded from the calculation
	Internal Home Support	Average hours per week	671	779	108	Average cost per hour	17.68	17.49	-0.19	
	Equipment									
	Learning Disabilities	N/A				Total spend	2,084,835	2,233,300	148,365	
	External Residential Care	No. of clients	314	306	-8	Average weekly cost	985.10	1,049.93	64.83	
	External Home Support	Average hours per week	1,113	1,113	0	Average cost per hour	22.17	22.17	0.00	Revised Cost /activity not currently available
	External Supported Living	No. of clients	508	508	0	Average weekly cost	1,079.51	1,088.75	9.24	
ENVIRONMENT & ECONOMY										
EE2.4	Waste Management									
		Total landfilled tonnes	197,800	149,004	-48,796					
		Total recycled/reused/composting tonnes	130,595	137,461	6,866					
		Recycling Credits (tonnes)	100,000	104,430	4,430	Rate per tonne	39.43	40.60	1.17	inflation
		Dry Recycling (tonnes)	12,785	14,147	1,362	Rate per tonne	39.44	20.18	-19.26	Partially due to procurement savings
		Composting (tonnes)	17,300	18,884	1,584	Rate per tonne	27.07	14.75	-12.32	Partially due to procurement savings
		Household incl landfill tax (tonnes)	185,200	139,114	-46,086	Rate per tonne	54.40	61.72	7.32	Now includes Transport costs
		Non-household incl landfill tax (tonnes)	12,600	9,709	-2,891	Rate per tonne	28.05	33.77	5.72	Now includes Transport costs
		Other - incl hazardous/fly tipping (tonnes)	510	181	-329					
COMMUNITY SAFETY & SHARED SERVICES										
CS6	Shared Services									
CS6.1.5	Food with Thought	Average no. of daily meals	10,657	11,537	880					

Oxfordshire County Council's Treasury Management Lending List
October 2009

Counterparty Name	Lending Limits			
	Standard Limit	Overnight Limit	Group Limit	Period Limit
	£	£	£	
Call Accounts / Money Market Funds				
Abbey plc - Capital A/c	22,000,000	5,000,000	27,000,000	3 years
Abbey plc - Main A/c	22,000,000	5,000,000	27,000,000	3 years
Bank of Scotland Plc - Base Plus A/c	15,000,000	5,000,000	20,000,000	3 mths
Bank of Scotland Plc - Business Current A/c	15,000,000	5,000,000	20,000,000	3 mths
Clydesdale Bank Base Rate Tracker Plus A/c	10,000,000	0	27,000,000	3 mths
Lloyds TSB Bank plc - Callable Deposit A/c	15,000,000	5,000,000	20,000,000	3 mths
Royal Bank of Scotland - Call A/c	15,000,000	5,000,000	20,000,000	3 mths
Svenska Handelsbanken - Call A/c (no 33777001)	10,000,000	0	10,000,000	3 mths
Svenska Handelsbanken - Call A/c (no 33777002)	10,000,000	0	10,000,000	3 mths
Svenska Handelsbanken - 10 Days Notice A/c	10,000,000	0	10,000,000	3 mths
Svenska Handelsbanken - 35 Days Notice A/c	10,000,000	0	10,000,000	3 mths
Money Market Deposits				
Abbey plc	22,000,000	5,000,000	27,000,000	3 years
Abbey Time Deposit Facility	22,000,000	5,000,000	27,000,000	3 years
Alliance and Leicester plc	10,000,000	0	27,000,000	3 mths
Bank Nederlandse Gemeenten N.V.	30,000,000	5,000,000	0	3 years
Bank of New York Mellon	22,000,000	5,000,000	0	2 years
Bank of Nova Scotia	22,000,000	5,000,000	0	2 years
Bank of Scotland Plc	15,000,000	5,000,000	20,000,000	3 mths
Bank of Scotland Plc (Through Broker)	15,000,000	5,000,000	20,000,000	3 mths
Barclays Bank Plc	15,000,000	0		6 mths
Barclays Bank Plc (Direct)	15,000,000			6 mths
Bilbao Bizkaia Kutxa	10,000,000	0	0	3 mths
Bradford and Bingley plc	15,000,000	0	0	Check government guarantee prior to lending
Clydesdale Bank	10,000,000	0	27,000,000	3 mths
Credit Industriel et Commercial (CIC)	15,000,000	0	0	364 days
Crown Agents Bank Ltd	10,000,000	0	0	3 mths
DBS Bank (Development Bank of Singapore)	22,000,000	5,000,000	0	2 years
Debt Management Account Deposit Facility	100% Portfolio	0	0	6 mths
DnB NOR Bank	10,000,000	0	0	3 mths
DZ Bank AG Deutsche Zentral-Genossenschaftsbank	10,000,000	0	0	3 mths
EFG Bank S.A. (ex-EFG Private Bank)	10,000,000	0	0	3 mths
English, Welsh and Scottish Local Authorities	30,000,000	0	0	3 years
HSBC Bank plc	22,000,000	5,000,000	0	3 years
JP Morgan Chase Bank	22,000,000	5,000,000	0	2 years
Lloyds TSB Bank plc	15,000,000		20,000,000	3 mths
National Australia Bank	22,000,000	5,000,000	27,000,000	3 years
National Bank of Canada	10,000,000	0	0	3 mths
Nordea Bank AB	22,000,000	5,000,000	0	2 years
Northern Rock plc	15,000,000	0	0	Check government guarantee prior to lending
Oversea-Chinese Banking Corp	22,000,000	0		3 years
Rabobank Group	30,000,000	5,000,000	0	3 years
Royal Bank of Canada	30,000,000	5,000,000	0	3 years
Royal Bank of Scotland	15,000,000	5,000,000	20,000,000	3 mths
Skandinaviska Enskilda Banken AB	10,000,000	0	0	3 mths
Svenska Handelsbanken	10,000,000	0	10,000,000	3 mths
Toronto-Dominion Bank	22,000,000	5,000,000	0	2 years
United Overseas Bank	22,000,000	5,000,000	0	2 years

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Ref (1)	Scheme (2)	Budget				Expenditure				Variations			
		Budget (as per February capital programme) 2009/10 (3) £'000	Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2007/08 (5) £'000	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Revised Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000
	CYP&F Main Programme	34,754	9,701	36,956	60,012	96,968	9,720	11,280	37,935	61,732	99,667	979	2,699
	CYP&F Forward Plan	5,141	0	4,341	197,146	201,487	76	401	3,115	187,568	190,683	-1,226	-10,804
	Sub-total CYP&F	39,895	9,701	41,297	257,158	298,455	9,796	11,681	41,050	249,300	290,350	-247	-8,105
	Social & Community Services	7,946	16,635	7,248	15,735	22,983	16,635	880	7,098	15,885	22,983	-150	0
	Environment & Economy	43,526	46,458	42,481	117,770	160,251	46,458	14,648	41,407	119,758	161,165	-1,074	914
	Community Safety	243	350	745	4,878	5,623	350	231	1,086	5,037	6,123	341	500
	Corporate Core	1,000	0	1,000	3,000	4,000	0	0	1,000	3,000	4,000	0	0
	TOTAL	92,610	73,144	92,771	398,541	491,312	73,239	27,440	91,641	392,980	484,621	-1,130	-6,691
	CYP&F Schools Capital	1,392	0	1,742	2,465	4,207	0	0	1,942	2,783	4,725	200	518
	Devolved Formula Fund	9,867	0	9,564	48,256	57,820	0	3,900	9,564	48,256	57,820	0	0
Earmarked Reserve Allocations (including Disbursements)	286	0	86	1,555	1,641	0	0	86	1,305	1,391	0	-250	
		104,155	73,144	104,163	450,817	554,980	73,239	31,340	103,233	445,324	548,557	-930	-6,423

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NOTE: the scheme totals represent the value of schemes from 2009/10.

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Ref (1)	Scheme (2)	Budget					Expenditure				Variations		
		Budget (as per February capital programme) 2009/10 (3) £'000	Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2009/10 (5) £'000	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000
1	<u>Primary Capital Programme</u> Combe - Hall & Classrooms Charlton-on-Otmoor - Repl of Temporary Classrooms Thame, Barley Hill - Repl of Temporary Classrooms Marcham (Phase 2) - Classrooms Launton - Hall & Classroom	350	934	241	0	1,175	934	129	241	0	1,175	0	0
2		400	23	400	782	1,205	23	102	600	582	1,205	200	0
3		300	37	300	1,213	1,550	37	61	300	1,213	1,550	0	0
4		350	0	344	0	344	0	300	344	0	344	0	0
5		0	0	0	0	0	0	1	250	625	875	250	875
	<u>Secondary Capital Programme</u>												
6	Wantage, Fitzwaryn - Phase 1 Woodstock, Marlborough - Science & Repl Temporary Buildings	1,725	472	1,756	0	2,228	472	1,020	1,756	0	2,228	0	0
7		2,978	220	2,300	795	3,315	220	410	2,300	795	3,315	0	0
8	Witney, Wood Green - Changing Rooms	0	135	157	0	292	135	148	157	0	292	0	0
9	Oxford Academy Project	12,700	705	15,000	17,645	33,350	705	5,380	15,000	17,645	33,350	0	0
10	Oxford Academy Project - Environmental Works	0	146	0	0	146	146	0	0	0	146	0	0
11	Chipping Norton - Science	1,200	12	600	3,788	4,400	12	128	600	3,788	4,400	0	0
	<u>Provision of School Places</u>												
12	Banbury, Hanwell Fields - Extensions	643	1,355	722	0	2,077	1,355	567	722	0	2,077	0	0
13	Witney, Tower Hill - Extensions	569	104	565	0	669	104	455	565	0	669	0	0

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		Budget				Expenditure				Variations		
		Budget (as per February capital programme) 2009/10 (3)	Pre 2009/10 (4)	Current Year Estimate (as per latest capital programme) 2009/10 (5)	Post 2009/10 (6)	Original Total scheme cost (7)	Actual expenditure to date 2009/10 (9)	Projected expenditure to year end 2009/10 (10)	Post 2009/10 (11)	Total Revised scheme costs (12)	Variation on Current year budget (13)	Total Scheme variation (14)
Ref (1)	Scheme (2)											
14	Cuttislowe - Foundation Stage Classroom	0	0	250 (5)	0	250 (7)	142 (9)	250 (10)	0 (11)	250 (12)	0 (13)	0 (14)
15	Witney, Henry Box - Music	600	22	780	604	1,406	56	780	604	1,406	0	0
16	Children's & Family Centres											
	Flexibility of Childcare 08/09 - 10/11	2,900	117	2,000	5,655	7,772	369	1,500	6,155	7,772	-500	0
17	Children Centres 08/09 - 10/11 Phase 3	1,000	7	560	5,484	6,051	324	560	5,072	5,639	0	-412
18	North East Abingdon - Children's Centre	0	16	424	0	440	72	424	0	440	0	0
19	Bloxham - Children's Centre	0	0	0	0	0	0	200	252	452	200	452
	Improvements to Young People's Centres											
20	Faringdon Young People's Centre	0	105	120	0	225	45	120	0	225	0	0
21	Wallingford Young People's & Children Centres	190	22	150	1,035	1,207	9	150	1,035	1,207	0	0
22	Witney Young People's Centre (Phase 1)	145	92	8	0	100	8	8	0	100	0	0
23	Berinsfield Young People's Centre	175	6	244	0	250	19	244	0	250	0	0
24	Chill Out / Youth Capital Fund	399	528	470	399	1,397	178	470	399	1,397	0	0
25	Witney Young People's Centre (Phase 2)	0	0	0	0	0	0	225	895	1,120	225	1,120
26	Back on Track - Mill & Vehicles	0	0	0	0	0	60	381	0	400	381	400

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Ref	Scheme (2)	Budget				Expenditure				Variations			
		Budget (as per February capital programme) 2009/10 (3)	Pre 2009/10 (4)	Current Year Estimate (as per latest capital programme) 2009/10 (5)	Post 2009/10 (6)	Original Total scheme cost (7)	Pre 2009/10 (8)	Actual expenditure to date 2009/10 (9)	Projected expenditure to year end 2009/10 (10)	Post 2009/10 (11)	Total Revised scheme costs (12)	Variation on Current year budget (13)	Total Scheme variation (14)
27	Children Homes Development Thornbury House Children's Home - Repl of building	750	31	100	1,323	1,454	31	56	100	1,323	1,454	0	0
28	Annual Programmes												
29	Schools Access Initiative	1,042	825	942	4,568	6,335	825	131	942	4,568	6,335	0	0
30	Health & Safety - CYP&F	285	331	119	1,265	1,715	331	50	119	1,265	1,715	0	0
31	Kilvrough Manor	0	74	241	0	315	74	198	241	0	315	0	0
32	Health & Safety - Corporate	554	270	400	1,600	2,270	270	0	400	1,600	2,270	0	0
33	Temporary Classrooms - Relocation & Removal	500	302	548	2,650	3,500	302	478	548	2,650	3,500	0	0
34	Other Schemes / Programmes												
35	Small Projects	1,146	0	1,068	1,007	2,075	0	262	1,018	1,007	2,025	-50	-50
36	Minor Works	165	150	181	0	331	150	96	181	0	331	0	0
37	Loans to Foster/Adoptive Parents	150	158	150	592	900	158	0	90	652	900	-60	0
38	Special Schools (16-19)	0	567	0	0	567	567	193	333	0	900	333	333
39	14 - 19 Rural Areas	0	0	370	730	1,100	0	0	370	730	1,100	0	0
40	14-19 Diploma	415	0	415	2,285	2,700	0	307	415	2,285	2,700	0	0
41	Pathfinder	0	291	955	864	2,110	291	135	955	864	2,110	0	0
42	Short Breaks (AHDC)	0	0	299	698	997	0	0	299	698	997	0	0

Capital Monitoring Report
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September 2009

		Budget					Expenditure				Variations		
Ref	Scheme (2)	Budget (as per February capital programme) 2009/10 (3)	Pre 2009/10 (4)	Current Year Estimate (as per latest capital programme) 2009/10 (5)	Post 2009/10 (6)	Original Total scheme cost (7)	Pre 2009/10 (8)	Actual expenditure to date 2009/10 (9)	Projected expenditure to year end 2009/10 (10)	Post 2009/10 (11)	Total Revised scheme costs (12)	Variation on Current year budget (13)	Total Scheme variation (14)
41	<u>ICT</u> Harnessing Technology Grant	1,283	944	1,283	1,225	3,452	944	0	1,283	1,225	3,452	0	0
42	Home Access for Targeted Groups	0	0	213	0	213	0	211	213	0	213	0	0
43	<u>Retentions & Oxford City School Reorganisation</u>												
44	Retentions Oxford City Schools Reorganisation	576	0	1,323	205	1,528	0	-794	1,323	205	1,528	0	0
45	<u>Sub-Total CYP&F</u>	33,490	9,001	36,056	56,412	101,469	9,020	11,280	37,035	58,132	104,187	979	2,718
46	<u>School Capital</u>												
47	Devolved Formula	9,867	0	9,564	48,256	57,820	0	3,900	9,564	48,256	57,820	0	0
48	Harnessing Technology Grant	1,392	0	1,392	2,465	3,857	0	0	1,392	2,465	3,857	0	0
49	Specialist Sports College	0	0	350	0	350	0	0	350	0	350	0	0
50	Kitchen & Dinning improvements	0	0	0	0	0	0	0	200	318	518	200	518
51	<u>Sub-Total Schools</u>	11,259	0	11,306	50,721	62,027	0	3,900	11,506	51,039	62,545	200	518
52	<u>Capital Adjustments & Funding</u>												
53	<u>Provisions</u>												
54	Efficiency Savings	300	140	300	1,200	1,640	140	0	300	1,200	1,640	0	0
55	Property Client Fee	640	560	600	2,400	3,560	560	0	600	2,400	3,560	0	0
56	Fees	324	0	0	0	0	0	0	0	0	0	0	0
57	<u>Sub-Total Other</u>	1,264	700	900	3,600	5,200	700	0	900	3,600	5,200	0	0
58	<u>Total</u>	46,013	9,701	48,262	110,733	168,696	9,720	15,180	49,441	112,771	171,932	1,179	3,236

		Budget				Expenditure				Variations				
Ref (1)	Scheme (2)	Client lead Budget Holder	Budget (as per February capital programme) 2009/10 £'000 (3)	Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2009/10 £'000 (5)	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000
(1)	Primary Capital Programme													
	Bayards		300	0	300	7,900	8,200	0	49	300	7,900	8,200	0	0
	Primary School Review	Gerald Hales	0	0	0	35,773	35,773	0	0	0	35,273	35,273	0	-500
	- Wood Farm			0	300	11,200	11,500	0	69	300	11,200	11,500	0	0
	- Rose Hill													
	- St Andrew's, Chinnor													
	Primary Replacement of Temps													
	- The Grange		0	0	0	1,500	1,500		19	0	2,000	2,000	0	500
	- Great Milton			0	25	575	600		70	25	575	600	0	0
	- Tackley		0	0	200	550	750		45	200	550	750	0	0
- Mill Lane														
- Cumnor														
- Garsington														
			100	0	0	400	400	0	0	0	400	400	0	0
			900	0	250	625	875	0	0	0	0	0	-250	-875
			200	0	100	500	600	0	0	50	550	600	-50	0
			350	0	100	750	850	0	31	100	750	850	0	0
(2)	Secondary Capital Programme													
	Burford - Phase 3 Drama & Classroom Block	John Phipps	350	0	200	2,300	2,500	0	72	200	2,300	2,500	0	0
	Faringdon Community College - Phase 3	John Phipps	0	0	0	1,500	1,500	0	0	0	1,500	1,500	0	0
	Warriner		0	0	0	250	250	0	0	0	250	250	0	0
	Secondary Schools Modernisation		0	0	0	1,500	1,500	0	0	0	1,500	1,500	0	0
	- Bartholomew													
	- Henry Box													

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Capital Monitoring Report
Children, Young People & Families - Forward Plan
September 2009

		Budget				Expenditure				Variations					
Ref (1)	Scheme (2)	Client lead Budget Holder	Budget (as per February programme) 2009/10 (3) £'000	Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2009/10 (5) £'000	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000	
(10)	<u>Risk Management Programme</u>														
(11)	<u>Opportunity Development</u> King Alfred's - Consolidation Larkmead - AWP & Sports Facilities		0 0	0 0	0 0	12,000 600	12,000 600	0 0	0 0	0 0	0 600	0 600	0 0	-12,000 0	
(12)	<u>Outdoor Education Service</u> Woodlands - NOF - Refurb Annex	Kevin Griffin	375	0	375	0	375	76	15	249	50	375	-126	0	
(13)	<u>Improvement of Young People's Centres</u> Witney Young People's Phase 2 Didcot Young People's Centre Back on Track Programme - Kidlington - Abingdon - Didcot Banbury New Futures Centre Chipping Norton Young People & Adult Learning Centre	Kevin Griffin	250 300 400	0 0 0	225 0 650	895 300 600	1,120 300 1,250	0 0 0	0 0 5	0 0 5	0 0 250	0 300 0	0 300 0	-225 0 -650	-1,120 0 -1,250
(14)	<u>Children Homes Development</u>						0 0 0 0 0	0 0 0 0 0	5 0 0 0 0	250 0 0 50 25	0 250 350 2,950 975	250 250 350 3,000 1,000	250 0 0 50 25	250 250 350 3,000 1,000	
(15)	<u>Annual Programmes</u>														
(16)	<u>Specific / Delegated Funding</u> Targeted Capital - SEN Tugwell	John Phipps / Sandra Higgs	0 126	0 0	300 126	3,033 0	3,333 126	0 0	17 0	50 126	2,950 0	3,000 126	-250 0	-333 0	
(17)	<u>ICT</u>														
Total			5,141	0	4,341	197,146	201,487	76	401	3,115	187,568	190,759	-1,226	-10,728	

Capital Monitoring Report
Social & Community Services
September 2009

Ref (1)	Scheme (2)	Budget (as per February capital programme) 2009/10 (3)	Budget				Expenditure				Variations		
			Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2009/10 (5) £'000	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000
<u>Community Services</u>													
Libraries													
1	Banbury Library & Arts Centre	50	0	50	5,625	5,675	0	0	50	5,625	5,675	0	0
2	Bicester Library	20	16	20	834	870	16	0	20	834	870	0	0
3	Central Library Refurbishment	69	268	20	159	447	268	8	20	159	447	0	0
4	Chalbury Library	0	0	0	130	130	0	0	0	130	130	0	0
5	Headington Library	196	7	150	63	220	7	1	150	63	220	0	0
6	Thame Library	1,344	145	1,290	257	1,692	145	140	1,290	257	1,692	0	0
7	Watlington Library	450	130	600	40	770	130	18	600	40	770	0	0
8	Library Improvement Programme	100	71	100	101	272	71	0	100	101	272	0	0
9	General Library Refurbishment	150	31	90	479	600	31	36	90	479	600	0	0
County Heritage & Arts													
10	Abingdon Museum (Contribution)	100	0	0	300	300	0	0	0	300	300	0	0
11	Museums Resource Programme	423	41	100	494	635	41	17	100	494	635	0	0
12	Development Project - SOFO	0	0	15	15	30	0	15	15	15	30	0	0
13	Pegasus Theatre (Contributions)	541	335	540	0	875	335	157	540	0	875	0	0
14	Cogges Manor Farm	65	0	65	185	250	0	0	65	185	250	0	0
		3,508	1,044	3,040	8,682	12,766	1,044	392	3,040	8,682	12,766	0	0

Capital Monitoring Report
Social & Community Services
September 2009

		Budget				Expenditure					Variations		
Ref (1)	Scheme (2)	Budget (as per February capital programme) 2009/10 (3)	Pre 2009/10 (4) £'000	Current Year Estimate (as per latest capital programme) 2009/10 (5) £'000	Post 2009/10 (6) £'000	Original Total scheme cost (7) £'000	Pre 2009/10 (8) £'000	Actual expenditure to date 2009/10 (9) £'000	Projected expenditure to year end 2009/10 (10) £'000	Post 2009/10 (11) £'000	Total Revised scheme costs (12) £'000	Variation on Current year budget (13) £'000	Total Scheme variation (14) £'000
	<u>Social Care for Adults</u>												
	Mental Health												
15	Mental Health Projects	177	177	177	177	531	177	125	177	177	531	0	0
	Residential												
16	Bicester Care Home (Forward Funding)	895	1,007	717	0	1,724	1,007	126	717	0	1,724	0	0
17	Homes for Older People - Extra Care Housing	250	14	236	650	900	14	0	236	650	900	0	0
	Homes for Older People - Extra Care Housing (Banbury)	0	0	675	675	1,350	0	0	675	675	1,350	0	0
19	Learning Disabilities - Supported Living *Prudential Borrowing	480	4	350	846	1,200	4	0	350	846	1,200	0	0
20	OP Care Home Improvements DAAT	0	0	0	107	107	0	0	0	107	107	0	0
	Day Centres												
21	Abingdon, Resource Centres (Phase 1-3)	997	208	692	350	1,250	208	112	692	350	1,250	0	0
22	Banbury Day Centre (OP)	50	4	50	946	1,000	4	0	50	946	1,000	0	0
23	Rural Day Centres (OP)	30	81	30	59	170	81	0	30	59	170	0	0
24	Wantage Day Centre (OP & LD)	0	0	0	500	500	0	0	0	500	500	0	0
25	Day Centre (OP)	100	0	100	100	200	0	0	0	200	200	-100	0
26	Day Centres (LD)	100	0	100	100	200	0	2	50	150	200	-50	0
		3,079	1,495	3,127	4,510	9,132	1,495	365	2,977	4,660	9,132	-150	0

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	<u>Strategy & Transformation</u>												
27	Supporting People	48	81	48	0	129	81	0	48	0	129	0	0
28	Time to Change	0	2,074	57	0	2,131	2,074	12	57	0	2,131	0	0
29	Adult Social Care - IT Infrastructure	268	0	100	363	463	0	0	100	363	463	0	0
30	New Adult ICT Services System	580	0	50	1,950	2,000	0	0	50	1,950	2,000	0	0
31	Mobile Working Project	50	26	24	50	100	26	3	24	50	100	0	0
			2,181	279	2,363	4,823	2,181	15	279	2,363	4,823	0	0
	<u>Retentions (Including Fees) &</u>												
	Retentions	201	0	383	80	463	0	90	383	80	463	0	0
33	Minor Works	202	0	319	50	369	0	78	319	50	369	0	0
34	HOP's Externalisation	0	11,915	100	50	12,065	11,915	-60	100	50	12,065	0	0
		403	11,915	802	180	12,897	11,915	108	802	180	12,897	0	0
35	Property Client Fees	10	0	0	0	0	0	0		0	0	0	0
	SERVICES	7,946	16,635	7,248	15,735	39,618	16,635	880	7,098	15,885	39,618	-150	0

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Scheme (2)													
<u>Transport</u>													
Retentions from LTP1 schemes		0	201		0	201	0	4	201	0	201	0	0
LTP2													
Network Development													
Townhill P & R	15	2,918	15		0	2,933	2,918	-33	15	0	2,933	0	0
10 Green Road Roundabout	20	5,396	15		0	5,411	5,396	14	15	0	5,411	0	0
Congestion Monitoring ANPR	62	794	2		0	796	794	2	2	0	796	0	0
ANPR Routing	250	13	50		0	63	13	1	50	0	63	0	0
Oxford VMS	290	441	200		0	641	441	-13	200	0	641	0	0
Chipping Norton AQMA		76	287		0	363	76	25	129	250	455	-158	92
Wallingford AQMA	248	0	248		0	248	0	3	65	0	65	-183	-183
Oxford P & R extensions	450	277	22		4,282	4,581	277	14	22	4,282	4,581	0	0
Access to Oxford		0	0		856	856	0	0	0	856	856	0	0
Road Safety		0	825		540	1,365	0	398	825	540	1,365	0	0
Oxford Transport Strategy													
High St (contribution to HM scheme)	229												
Summertown	34	1,291	50		0	1,341	1,291	19	50	0	1,341	0	0
Fairfax Rd/Purcell Rd Cycle Link	205	5	0		180	185	5	0	0	180	185	0	0
Highfield Area Traffic Management	116	0	20		96	116	0	0	20	96	116	0	0

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page 78	Cycle Improvement schemes	30	0	51	0	51	0	13	51	0	51	0	0
	Controlled Parking Zones	376	134	371	0	505	134	62	371	0	505	0	0
	Central AQMA	100	31	53	0	84	31	0	53	0	84	0	0
	London Rd corridor - phase 2	554	1,746	600	0	2,346	1,746	522	600	0	2,346	0	0
	London Rd corridor - phase 3	520	112	180	1,743	2,035	112	45	180	1,743	2,035	0	0
	New Inn Hall Street (West End)	164	128	506	0	634	128	465	506	0	634	0	0
	Speedwell Street/St Aldate's (West End)		85	41	0	126	85	40	41	0	126	0	0
	Transform Oxford		0	0	678	678	0	0	0	678	678	0	0
	Queens Street	825	9	985	0	994	9	555	985	0	994	0	0
	Frideswide Square (West End)	135	64	136	1,100	1,300	64	2	136	1,100	1,300	0	0
	Towns Programme												
	Abingdon												
	Abingdon Town Centre	540	2,491	540	150	3,181	2,491	16	540	150	3,181	0	0
	Abingdon secondary cycle routes		3	35	0	38	3	0	35	0	38	0	0
	Marcham Rd Ph 2	185	95	185	0	280	95	2	210	0	305	25	25
Banbury													
Western Corridor		261	1	0	262	261	2	1	0	262	0	0	
Merton Street One way scheme		0	41	0	41	0	3	41	0	41	0	0	
Hanwell Fields Mineral Railway		0	0	150	150	0	0	0	150	150	0	0	
Henley													
Town Centre	134	1,164	280	0	1,444	1,164	307	280	0	1,444	0	0	
Witney													
Cogges Link Road	1,033	1,541	650	15,613	17,804	1,541	232	650	15,613	17,804	0	0	
Woodgreen/West End Ped Cycle Route		25	85	0	110	25	1	85	0	110	0	0	
Downs Road		43			43	43	15	9	0	52	9	9	

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Bicester												
Bicester central area improvement			0	750	750	0	0	0	750	750	0	0
Roman Road					0	0	0	2	48	50	2	50
Wantage/Grove												
Limborough Road					0	0	0	45	0	45	45	45
Carterton												
NE Carterton Cycle Links		34	19	0	53	34	2	5	0	39	-14	-14
Carterton B4477 upgrade		2	23	0	25	2	0	23	0	25	0	0
Other Towns												
Embsrosden pedestrian refuge		36	3	0	39	36	-21	3	0	39	0	0
Sutton Courtney Footpath					0	0	0	15	0	15	15	15
Public Transport												
Yarnton-Pear Tree Bus Priority	33											
Premium Routes upgrade	421	0	421	304	725	0	45	421	304	725	0	0
Iffley Rd donnington bridge jn		1	222	0	223	1	116	222	0	223	0	0
Public Transport Information Project	288	671	288	232	1,191	671	228	288	232	1,191	0	0
Rail Station Development	176	0	125	134	259	0	13	125	134	259	0	0
Didcot Station Forecourt	3,943	943	536	4,150	5,629	943	132	536	4,150	5,629	0	0
Smarter Choices (BWTS)												
	850	0	787	400	1,187	0	162	751	455	1,206	-36	19
Salaries												
	638	0	638	651	1,289	0	0	638	651	1,289	0	0
Abbey Centre (Abingdon Depot)	100											
Integrated Transport FP		0	0	20,158	20,158	0	0	0	20,158	20,158	0	0
Preparation Pool		0	0	900	900	0	0	0	900	900	0	0
TOTAL ITS	13,909	20,830	9,737	53,067	83,634	20,830	3,398	9,442	53,420	83,692	-295	58

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Scheme (2)													
Structural Maintenance	12,497												
	Carriageways	0	0	2,030	7,424	9,454	0	-8	1,840	7,424	9,264	-190	-190
	Footways	0	0	2,140	6,900	9,040	0	1,165	2,248	6,900	9,148	108	108
	Surface Treatments	0	0	3,061	13,747	16,808	0	2,283	3,269	13,747	17,016	208	208
	Structural Patching	0	0	281	2,179	2,460	0	51	281	2,179	2,460	0	0
	Bridges	0	0	2,360	15,480	17,840	0	341	2,350	15,480	17,830	-10	-10
	Drainage	0	0	806	2,650	3,456	0	363	906	2,650	3,556	100	100
	Lighting Column replacement	0	0	1,028	0	1,028	0	215	1,028	0	1,028	0	0
	Sumner Hill	418	418	411	0	829	418	155	350	0	768	-61	-61
	A420 Lower Bourton Junction	0	0	620	0	620	0	266	620	0	620	0	0
	A420 (Headington - M40)	0	0	0	935	935	0	0	80	855	935	80	0
	St Aldates Phase 2	873	873	100	0	973	873	60	100	0	973	0	0
	High Street Phase 3	377	377	1,666	384	2,427	377	315	1,878	384	2,639	212	212
	Principle Roads	0	0	20	4,947	4,967	0	18	73	5,027	5,100	53	133
	Other HQ Items	0	0	905	0	905	0	101	405	0	405	-500	-500
Capital funding of capitalisable HM		0	650		0	650	0		650		0	0	
TOTAL STRUCTURAL MAINTENANCE	12,497	1,668	16,078	54,646	72,392	1,668	5,942	16,078	54,646	72,392	0	0	
TOTAL E&E (TRANSPORT)	26,406	22,498	25,815	107,713	156,026	22,498	9,340	25,520	108,066	156,084	-295	58	

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Scheme (2)												
<u>Property Services</u>												
Environmental advice/consultancy		11	9	0	20	11	0	9	0	20	0	0
Carbon Management												
Energy Conservation (Prudentially funded)	200	341	150	1,033	1,524	341	91	150	1,033	1,524	0	0
Street Lighting (Prudentially funded)	300	226	0	0	226	226	12	0	0	226	0	0
SALIX		291	309	0	600	291	139	323	0	614	14	14
Energy Bus		0	101	0	101	0	80	105	0	105	4	4
Automated Monitoring & Targeting		61	56	0	117	61	68	56	0	117	0	0
Bulk Fuel Storage		0	17	0	17	0	0	0	0	0	-17	-17
Solar Panels		0	0	0	0	0	0	45	0	45	45	45
Carbon Management Fund	100	0	0	147	147	0	0	0	115	115	0	-32
BOP												
Southern Area Offices		269	0	0	269	269	1	0	0	269	0	0
Storage		225	0	0	225	225	0	0	0	225	0	0
Banbury Office	3,108	2,796	3,213	0	6,009	2,796	1,199	3,278	0	6,074	65	65
County Hall	1,526	1,463	1,208	0	2,671	1,463	940	1,158	0	2,621	-50	-50
East Oxford Office - Knights Court		742	85	0	827	742	60	84	0	826	-1	-1
Oxford Options	1,091	85	750	115	950	85	12	750	115	950	0	0
Oxford Options - Laundry	0	9	148	0	157	9	45	148	0	157	0	0
Youth Offending Service	150	0	150	0	150	0	0	150	0	150	0	0
Trading Standards		0	480	0	480	0	0	480	0	480	0	0
Macclesfield House ICT node		0	0	500	500	0	0	0	500	500	0	0
BOP Capital Revenue Switch	233	0	907	280	1,187	0	0	955	280	1,235	48	48
BOP Contingency		0	0	437	437	0	0	0	375	375	0	-62
Contributions to Chipping Norton Town Partnership Programme	120	0	120	206	326	0	120	206	206	326	0	0
Oxford Castle Education Centre	66	0	66	0	66	0	0	0	0	0	-66	-66

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Redbridge Hollow - Fly Tipped Waste	1,170	12	1,168	0	1,180	12	1,958	427	741	1,180	-741	0
Relocation of Countryside Services Bampton Community Facility	500	2	358	0	360	2	79	358	0	360	0	0
			0	0	0	0	0	20	888	908	20	908
Annual Programmes												
Backlog Maintenance (Prudentially funded)	4,653	17,352	5,656	1,992	25,000	17,352	1,958	5,656	1,992	25,000	0	0
Minor Works	500	0	613	1,490	2,103	0	0	613	1,490	2,103	0	0
Health & Safety (Non-Schools)	28	0	28	0	28	0	0	28	0	28	0	0
Contingency - staff delivery	50	0	50	100	150	0	0	50	100	150	0	0
Opportunity Purchase Fund		0	0	343	343	0	0	0	343	343	0	0
Whole Life Value Pool-Budget Provision	100	0	100	400	500	0	0	0	500	500	-100	0
Sub-Total Property Services	13,895	23,885	15,742	7,043	46,670	23,885	4,684	14,963	8,678	47,526	-779	856
Waste Management												
Oakley Wood WRC Redevelopment	500	71	679	0	750	71	624	679	0	750	0	0
Redbridge WRC	1,000	4	56	940	1,000	4	0	56	940	1,000	0	0
Kidlington WRC	625		15	610	625	0	0	15	610	625	0	0
Alkerton WRC	750		0	750	750	0	0	0	750	750	0	0
Stanford in the Vale WRC	350		0	350	350	0	0	0	350	350	0	0
Oxford Waste Partnership PRG allocation		0	174	364	538	0	0	174	364	538	0	0
Sub-Total Waste Management	3,225	75	924	3,014	4,013	75	624	924	3,014	4,013	0	0
Sub-Total E&E	17,120	23,960	16,666	10,057	50,683	23,960	5,308	15,887	11,692	51,539	-779	856

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<u>Fire & Rescue Service</u>												
Banbury Fire Station - New Dimension	20	61	1	0	62	61		1	0	62	0	0
Radio Replacement Scheme		0	6	0	6	0	7	6	0	6	0	0
Critical Works	59	50	61	0	111	50		61	0	111	0	0
Minor Works		0	62	0	62	0	1	62	0	62	0	0
Bicester Fire Station Upgrade	35	26	159	250	435	26		200	209	435	41	0
Wolverhampton Fire Station		0	0	0	0	0		0	0	0	0	0
Wallingford Fire Station	10	12	10	2,378	2,400	12		10	2,378	2,400	0	0
Wallingford Fire Station	50	0	50	2,250	2,300	0		50	2,250	2,300	0	0
<u>Gypsy & Traveller Sites</u>												
Redbridge Hollow Additional Pitch		0	126	0	126	0		126	0	126	0	0
Redbridge Hollow Traveller Site Refurbishment of Amenity Units	69	0	69	0	69	0		69	0	69	0	0
<u>Safer Stronger Communities</u>												
Safer Stronger Communities Grant		201	201	0	402	201	50	201	0	402	0	0
<u>Shared Services - Food With Thought</u>												
School Kitchen & Dining Improvements		0	0	0	0	0	173	300	200	500	300	500
TOTAL COMMUNITY SAFETY & SHARED SERVICES	243	350	745	4,878	5,973	350	231	1,086	5,037	6,473	341	500

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Scheme (2)												
ICT Hardware & Software	1000		1,000	3,000	4,000	0		1,000	3,000	4,000	0	0
TOTAL CORPORATE CORE	1,000	0	1,000	3,000	4,000	0	0	1,000	3,000	4,000	0	0

Capital Monitoring Report
Grant Applications
September 2009

Ref.	Scheme/Programme Area	Status	Description	Amount £000	Year
(1)	Children, Young People & Families Building Schools for the Future - 4 schools	1	Included within a group of Authorities to develop a Strategy for Change (July 2010) and Readiness to Delivery. Outline business case by Dec 2010. King Alfred's consolidation, possible contribution from sale of asset.	80,000	2013/14 onwards
(2)	Bicester	1	LSC application	9,000	2013/14 onwards
(3)	Performance Reward Grant	3	Individual Service Target Areas	3,000	2010/11 & 2011/12
(4)	Chipping Norton Young People & Adult Centre	1	Chipping Norton Town Council	525 200	
	Sub-Total CYP&F			92,725	
(5)	Social & Community Services				
(6)	Barbury - Adult Learning Centre Oxfordshire Record Office	1 1	Bid - expression of interest Jan 09 Archieve Storage for Oxfordshire Primary Care Trusts	350 180	2009/10 2010/11
	Sub-Total Community Safety			530	
(7)	Environmental & Economy				
(8)	Highways Maintenance Access to Oxford - Improvements to Oxford Rail Station	1 1	Allocation to be made to two county's from each region. Indicative allocation by Regional Transport Board. Business case to be submitted Oct/Nov 2009.	tbc 6,000	2009/10 2010/11
(9)	Access to Oxford - Remaining Elements	1	Indicative allocation by Regional Transport Board. Business cases for individual projects to be submitted.	56,000	£20m 2013/14 £20m 2014/15 £16m 2015/16
(10)	Performance Reward Grant	3	Key Workers Loans	626	
(11)	Hanwell Mineral Railway	1	Match funding from Sustrans towards increase in project scope.	150	2010/11
	Sub-Total Environmental & Economy			62,776	
(12)	Community Safety Redbridge Hollow Travellers Site - extension of amenity blocks	1	Bid resubmitted June 09. Total project cost is £565k. 25% (£141k) revenue match funding and £56k grant funding carried forward from previous project.	368	2009/10-2010/11
(13)	Redbridge Hollow Travellers Site - 8 additional pitches	1	Bid submitted June 09.	1,163	2009/10-2010/11
(14)	Safer Stronger Communities Fund	1	Indicative allocation.	201	2010/11
	Sub-Total Community Safety			1,732	
	Total			157,763	

Key:

- Grant bids waiting approval from funding authorities
- Secured new resources waiting programme of work approval
- Funding to be allocated against viable projects

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Division(s):

CABINET – 24 NOVEMBER 2009

EUROPEAN SCHOOL, CULHAM – PROPOSAL TO REPLACE IT WITH AN ACADEMY

Report by Director for Children, Young People & Families

Introduction

1. The European School, Culham is one of a pan-European Union network of schools directly funded by the European Union to meet the educational needs of the children of European Union employees working abroad. In addition to pupils taking up places directly funded by the European Union, the European School also accommodates others with places funded by other European employers with a base in Oxfordshire, and a number whose parents pay fees direct to the school.
2. The European School currently has about 900 pupils on roll aged from 3 – 18 (i.e. Nursery – Year 13), the majority of whom live within an 8km (5 mile) radius of the school. They typically join the school at age 4 and most remain until they are 18 when they sit the European Baccalaureate. The school is not required to deliver the National Curriculum and the curriculum is delivered through a combination of English and one or more European languages, building to 4 or 5 by the time pupils enter the sixth form.
3. The European Union has declared that funding for the European School is to be phased out over a seven year period from 2010 – 2017. It has been proposed that the school be brought into the English schools maintained sector through the creation of an academy which would retain as much as possible of the current European School ethos. This proposal has the support of the Department for Children, Schools and Families. The academy would be sponsored by a company limited by guarantee, with charitable status: Culham Languages and Sciences (CLASS)

Reason Why Annex is Exempt

4. Draft of the Expression of Interest submission to the Department for Children, Schools and Families.
5. The Department's policy is to only publicly release, via their website, final versions of Expressions of Interest once they have been finalised and signed off by the minister. The Executive summary is provided at Annex 1.

Expression of Interest

6. The first formal stage in the possible replacement of the European School by an academy is the submission of an 'Expression of Interest' (Eoi) to the Department for Children, Schools & Families (DCSF). This sets out the key

features of the proposal (age range, size, location etc. of the academy); details of the school it would replace (pupil attainment, numbers on roll, turnover, levels of socio-economic deprivation etc.); the sponsor(s) of the academy and potential educational partners (higher performing schools or other educational institutions such as colleges or universities); and an undertaking to comply with key national codes of practice, including admissions. Production and submission of an Expression of Interest is usually the responsibility of the maintaining Local Authority but in the case of the European School these are being undertaken by a consultant.

7. The Department for Children, Schools and Families has recently launched a consultation exercise on accreditation rules for new academy sponsors. The Expression of interest therefore remains in a final draft version pending a decision about accepting Culham Languages and ScienceS as the academy sponsor and receipt from the Learning & Skills Council of a letter supporting the proposal.
8. If the EoI receives ministerial approval the next stage will be to undertake a detailed 'Feasibility Study' which will look at the viability of the academy proposal, including the capital investment that would be needed to create appropriate modern accommodation. As part of the study the views of a wide range of stakeholders will be sought about the proposal to replace the European School with an academy.

Implications for neighbouring schools

9. The European School currently admits 60 children to its nursery and these are guaranteed progression into the primary, secondary and sixth form 'wings' of the school. The proposed academy would be required to comply with the admissions code of practice and therefore this guarantee would no longer apply. The academy would have a Published Admission Number of 60 i.e. it would admit to the Reception Year the same number of children as currently admitted to the nursery. It will be covered by the infant class size limit which restricts classes to 30 children per qualified teacher. These factors, combined with the majority of the children currently living within the immediate vicinity of the school, strongly suggest that the creation of an academy would be unlikely to have a significant impact on admissions to neighbouring primary schools.
10. Casual (mid-year) admissions to the European School have resulted in current secondary age year groups of between 63 and 82 i.e. in excess of the proposed admission number of 60. The admissions code of practice establishes the presumption that the Published Admission Number will apply to year groups as they work their way through the school. Under coordinated admission arrangements the Council will be responsible for administering casual admissions so it is likely that 60 pupils per year group will not be exceeded in the future. The impact of the academy on the numbers of 11 – 16 year old pupils admitted to neighbouring secondary schools is likely, therefore, to be less than that of the European School.

11. The European School will, in addition to admissions to the Reception year, have a second 'normal year of admission': to Year 12. The sixth form will have 200 places split evenly between Years 12 and 13. With a near 100% transfer from Year 11 into Year 12 (this is currently the situation with the European School and thought likely to continue with the academy), it is expected that about 40 students will be admitted to the sixth form from outside of the academy. With the medium of instruction being a combination of English and four or five European languages this could make the academy attractive to local students who excel at Modern Foreign Languages and are looking to pursue these through the sixth form and, possibly, onto Higher Education. Didcot Girls' School currently has Modern Foreign Languages as a specialism and therefore its sixth form of about 200 students may be affected by the creation of an academy.
12. As a maintained academy, the pupil performance results (end of Key Stage 2, GCSE and A/AS Level) would contribute to the County Council's aggregate performance data. As the European School does not currently follow the National Curriculum, nor enter students for GCSEs and A/AS levels, it is not possible to quantify what the effect of the academy would be. However, the European Baccalaureate, which is pursued by sixth form students in the European School, is at least as challenging as A-Levels.
13. The Department for Children, Schools and Families will expect the academy to work closely with local schools and this commitment is set out in the draft Expression of Interest and would be reflected in any Funding Agreement entered into by the Secretary of State.

Financial and Staff Implications

14. There are no financial implications arising directly from this report. If approval is given to undertake the 'Feasibility Study' this will require County Council staff to commit time to this. The activities to be undertaken as part of the study may involve staff from Children, Young People & Families (mainly Raising Achievement and School Organisation & Planning), Shared Services (Finance and Human Resources), Environment & Economy (Property Services) and the Corporate Core (Legal Services and Transformation). It would be appropriate to establish a project team.
15. The European School will be subject to capital investment should it become an academy. Under the 'Academies Framework' it will be the responsibility of the County Council to manage the project. This is the same situation as currently applies to the Oxford Academy which is currently under construction. A sum of £300,000 from the overall Oxford Academy budget was top-sliced to meet the Council's costs: about £160,000 for project management and technical advice, £50,000 for surveys etc. with the balance available to defray some of the Council's associated staff costs.
16. Generally the £300,000 is a one-off top slice irrespective of the number of academy projects that a Council is managing at any one time. However, given the unique nature of the European School/Academy project, and the

possibility of a third concurrent academy project, a further allocation of £400,000 has been confirmed. This is sufficient to cover all the Council's project management costs associated with the European School/Academy project but would not be sufficient to cover all associated Council staff costs were the Oxford School/City of Oxford Academy project to go ahead simultaneously.

17. Within the standard Expression of Interest document the 'host' Local Authority is required to confirm that it will meet any off-site works that may be required (Section 4.3) and indemnify the academy in respect of all employment costs associated with transfer of staff from the predecessor school to the academy, including TUPE and severance costs (Section 5.2). In respect of both of these expectations written confirmation has been received that neither of these requirements will apply in the case of the European School/Academy. The text of an e-mail to this effect is attached at Annex 2.
18. Academies replacing maintained predecessor schools are entitled to a share of central expenditure against the Dedicated Schools Grant which is incurred on their behalf. As a school not maintained by the Council, the European School currently creates no central expenditure charged against the Dedicated Schools Grant. The e-mail at Annex 2 implies that as an "independent" school being brought into the maintained sector the central expenditure 'top slice' will not apply. Explicit clarification by the Department for Children, Schools and Families of the relevant paragraph is being sought by officers and the outcome will be reported orally to the meeting.

Equality and Inclusion Implications

19. At this stage no formal assessment has been made of the potential equalities and inclusion implications of the European School becoming an academy. The implications may emerge through the feasibility study which would follow ministerial approval of the Expression of Interest. As a maintained school the academy would be bound by the Code of Practice on Admissions, and Exclusions, participate in 'hard to place' protocols and also be required to admit and make provision for pupils with a Statement of Special Educational Needs which names the academy. It is likely, therefore, that the creation of an academy would increase opportunities for disadvantaged or vulnerable pupils to have access to a broader range of specialist facilities

RECOMMENDATION

20. **The Cabinet is RECOMMENDED to**
 - (a) **note the contents of the draft Expression of Interest;**
 - (b) **support the submission of the Expression of Interest as the basis of a proposal to replace the European School, Culham with an academy subject to the financial guarantees detailed in paragraphs 16, 17 and 18; and**

- (c) **request officers to bring a further report on the outcomes of consultations undertaken as part of the 'Feasibility Study'.**

JIM CROOK

Interim Director for Children, Young People & Families

Background papers: Nil

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November 2009

CULHAM ACADEMY

IN OXFORDSHIRE

EXPRESSION OF INTEREST FOR AN ACADEMY

This form should be used alongside the following documents, which are available from the Department for Children, Schools and Families website (www.dcsf.gov.uk) or from your Expression of Interest Consultant.

1. The Expression of Interest Guidance
2. Sponsorship Guide: Establishing an Academy
3. Delivering Academy Buildings through PfS

Section 1: Executive Summary

1.1 Please provide a brief summary of the project:

This proposal is to bring the current European Union funded and run European School Culham into the mainstream state funded sector as an innovative, co-educational Academy, as far as possible retaining the ethos of a European School. The Sponsor will be Culham Languages and ScienceS a company limited by guarantee, with charitable status, chaired by Lord Michael Jay, independent member of the House of Lords. The Directors of the company offer outstanding expertise in the key areas of European languages and culture, the sciences, business and education. The Sponsor's network will develop substantial support to the Academy. The Sponsor intends that key partners will be drawn in from higher education and industry to enhance the Academy's development

The Sponsor believes that a move to Academy status for European School Culham will offer a unique opportunity to build on the two major strengths of the predecessor school – its excellence in European languages and its close links with the science institutions at Culham and Harwell, together with the Higher Education institutions in Oxford and major engineering enterprises, such as BMW, and Npower. The Academy will seek to become a centre for language and science teaching, both of which are key to Britain's future international competitiveness and in which as a nation we are weak. The Sponsor also envisages that the Academy will also develop as a beacon for other schools in Oxfordshire and indeed nationally.

This proposal for an Academy has been developed at a time when the European School's Board of Governors based in Brussels is planning the eventual closure of European School Culham, near Abingdon in 2017. European School Culham is one of 14 European Schools in various European Union (EU) Member States set up under an Intergovernmental Treaty to provide mother tongue education for the children of the staff of EU Institutions and agencies. It provides education for children aged 4-19 enrolled in language sections, delivering a significant part of the curriculum through a second vehicular language and insisting on the learning of a third Modern language from age 14 to 16 years, leading to the European

Baccalaureate at age 18/19. FTE posts tend to be filled by mother tongue teachers who are supplied on fixed term contracts as secondees from their home Member State, with their national salaries paid by the Member State and a European Schools' salary and allowances paid by the school. Other staff and teachers are recruited locally and have to be native speaker of the language section in which they work except for teachers of sport, music and art.

The proposal is to bring the European Union funded and run European School Culham into the mainstream state funded sector as a new, co-educational academy, as far as possible retaining the ethos of a European School. Initially, the Academy would continue to receive EU funding to support the continuation of the European style of education available at the school. The withdrawal of EU funding would be phased over seven years between 2010 and 2017. The creation of this Academy will coincide with an exciting period when the UK is redefining its identity in Europe and the wider world.

The creation of this proposed Academy will offer a unique opportunity to bring into the national system a school, which could develop as a national centre of excellence in the teaching of languages. In particular, the Academy could assist with the development of language teaching materials, particularly at primary level and also eventually offer immersion training for teachers and summer schools for pupils. Over time the Sponsor also intends that the Academy will work with its partner network to evolve as a distinctive centre of national repute for science education.

The new all age, two form entry Academy will provide a 60/30 +30 place Nursery and admit up to 720 students aged 5 - 16 with a further 200 students in the sixth form. The size and eventual opening date for the Nursery will be decided during Feasibility. The Sponsor intends that the Academy will open in 2010 in existing buildings and be enhanced by being in new/refurbished buildings in 2013. The site for the new Academy would be the current site of European School Culham, which will be leased to the Academy Trust. The name of the Academy will be decided during Feasibility, following consultation with the predecessor school and its community.

The pre-decessor school provides for the children of staff working at EU institutions and increasingly for fee paying bilingual and multi national families in the South Oxfordshire area. The majority of its pupils live within a 5-8 km radius of the school. Children (60) join the school at age 4 by application and stay to age 18 when they sit the European Baccalaureate. Most then take up places in Higher Education. The only academic entry criteria used is whether the child will cope with being taught in the language of the language section in which they have been enrolled. At age 7 a second language is introduced. At age 13, history and geography are taught in language 2. At age 14, language 3 is introduced. At age 16, there is the option of a fourth and fifth language.

In recent years, including in 2009, European School Culham has outperformed all the other schools in the European Schools system. The average student leaving Culham in 2009 gained an EB at level..... In 2008 it was []. As well as being the best of its type in Europe, European School Culham has a successful track record of placing students in Higher Education. Most of the Russell Group universities accept

the EB for entrance purposes with the EB generally being seen as equivalent to(rough number of A levels or better at what sort of grade?)

The European School Culham is highly respected for its ethos, which is inspired by Jean Monnet's vision of children "educated side by side.....acquainted with all that is great and good in the different cultures, it will be borne in upon them as they mature that they belong together. Without ceasing to look to their own lands with love and pride, they will become in mind Europeans". The new Academy will seek to maintain the ethos, character and purpose of the predecessor school and secure further improvement in the already high levels of student achievement.

The Sponsor intends that the Academy will become a specialist language academy authorised by the EU to deliver the European Baccalaureate. The Academy, with the support of the EU, will continue to provide the full European Schools Education framework for existing European School Culham students. Over time, the Sponsor intends that this core approach to a European style of curriculum will facilitate an innovative delivery of the National Curriculum, routinely taught through more than one EU language. In this way, aspects of the National Curriculum e.g. Science could also be assessed in, for example, French for the purposes of the European Baccalaureate requirements.

The Sponsor also intends to build on the local area's focus on science and technology industries for example the European Space Agency at Harwell and the EFDA-JET nuclear fusion plant at Culham and develop the Academy as a centre for science education. The first and main subject specialism of the Academy will be Languages whilst the second will be Science. The Sponsor intends that this focus on languages and science will act as a driving force for promoting high standards and nurturing the wider development of the Academy. The Sponsor is well placed to support these ambitions.

The Academy will work to sustain close links with local schools and Oxfordshire Local Authority. The Sponsor is already in discussion with the Oxford Academy to explore the creation of a formal school improvement link. This will be achieved through a range of strategies that enable both institutions to share good practice and engage in joint ventures. It is envisaged that the Academy at Culham will collaborate on the teaching of modern languages, as well as mathematics and science. There will be opportunities to support links into Europe. The Academy will seek to work with local primary schools to support the National Primary Language Strategy. It is envisaged that the Academy will build on current European School Culham links with the Links into Languages National Project and develop as a Languages hub.

The Academy will wish to be involved with the local community in a number of ways and will work with local partners to develop funding frameworks to promote an active lifelong learning programme on site, that includes the use of the Academy's drama and sporting facilities.

ANNEX 2

Text of a letter of clarification from DCSF re: Local Authority financial responsibilities

Roy

We spoke yesterday afternoon. I confirmed that it would be helpful to get a formal council response on the Expression of Interest this month. Otherwise we could not go to Ministers for approval to move into feasibility and this would then jeopardise the EU timetable for approving the next stage of the Culham change to Academy status (relevant EU committee meets December). The sponsors and the school itself are concerned about extending the period of uncertainty as this might affect staffing stability and morale.

We would not complete feasibility, and move to a signed Funding Agreement (FA), until the final EU approval was given, expected April next year. I envisage us also at that point again, as applies with all Academy projects, asking the LA formally to confirm it is content before the FA was submitted to Ministers for approval.

I also confirmed that Ministers would be explicitly advised that:

- (a) Oxfordshire LA would not fund any additional costs arising from the capital work, beyond those received from DCSF/PfS directly for the project. This included not funding any off-site work, which at this stage we both assumed would not arise but which would not be known for sure for some time;
- (b) the LA would also not meet any staffing related costs arising from the transfer of existing Culham staff to the Academy (sometimes known as "TUPE"). Once again these were not thought to be an issue at present but, as with capital works, this was not an LA school and you would not therefore be expected to bear additional costs arising out of its conversion to Academy status.

In addition the Government expects Culham to work closely with local schools, including Oxford Academy and primary schools, and expects to this be formally set out during feasibility. As a 2FE school, however, it will only have a certain capacity to achieve this but we feel that partnership working is important to justify its move into the state funded sector.

As (hopefully helpful background) you may already be aware that the Government has made allowance, for DSG purposes, for a small number of "independent" schools to move into the Academy, i.e state-funded sector. My finance colleagues advise that this includes Culham.

On a final point regarding the draft Expression of Interest, this is as you will note, near final but not yet 100%. As the Government has just begun consulting on new rules for sponsor accreditation this section is not yet complete. And we haven't heard the LSC view yet. Our general practice is not to publicly release the Expression of Interest on our website until it is final and signed. Would it be possible for you to e.g

just use the summary, plus extracts from the key sections from the LA viewpoint, rather than release the full document on the website?

Once again thank you for your help with this project. I think it will be complex rather than controversial and, unlike normal Academy projects, it will at least not require a formal LA school closure process (but still lots of local consultation by sponsors & project managers).

Sean

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Division(s): Sonning Common, Goring, Henley South, Henley North & Chilterns
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CABINET – 24 NOVEMBER 2009

READING AREA TRANSPORT INNOVATION FUND (TIF) BID

Report by Head of Transport

Introduction

1. In January 2009 Cabinet considered a report on the Reading Area Transport Innovation Fund (TIF) bid. This explained that Reading Borough Council is seeking a Central Government contribution of £275 million to a total package of £300 million for transport investment in the Reading area over the next 10 years comprising public transport improvements, park & ride and a third Thames bridge. In return, Reading Borough Council would agree to a congestion charge in the longer term if the package of investments failed to achieve an agreed reduction in congestion.
2. Cabinet agreed that Oxfordshire County Council would be represented (by the then Cabinet Member for Transport) on Reading Borough Council's TIF Partner Authorities Liaison Group. However, Cabinet also made clear that Oxfordshire County Council is opposed to congestion charging per se and would only support a third Thames crossing for public transport vehicles only.
3. The purpose of this report is to update Cabinet on subsequent developments and to seek a decision on whether or not Oxfordshire County Council should enter in to a Partnership Agreement with Reading Borough Council, other neighbouring authorities and the Department for Transport. If so, a further decision is required on which of three levels of partnership status is appropriate.

Further Developments During 2009

4. During 2009 it has become clear that all of Reading's other neighbouring authorities share Oxfordshire County Council's opposition to congestion charging. None will accept congestion charging within their boundaries, which rules out a charge covering the whole Reading built up area. In the case of West Berkshire, this opposition to congestion charging includes any scheme in Reading Borough.
5. Reading Borough Council has been working closely with the Department for Transport (DfT) and it seems that, with very few local authorities still progressing TIF bids, DfT is keen that at least one or two should go ahead if possible.
6. In order to achieve this within the rules for TIF, DfT and Reading have devised a three tier partnership arrangement to allow authorities opposed to

congestion charging to participate. Meanwhile, DfT is trying to get an early commitment from Reading to charge-based demand management.

7. **Level 1 Full Partners** support the whole programme and can derive the full financial benefits of the package (revenue and capital) but must be prepared to accept congestion charging within their area if this is necessary to tackle congestion. Reading Borough Council will be the only Full Partner, given the position of all of the others (including Oxfordshire County Council) on congestion charging.
8. **Level 2 Programme Partners** will support and contribute to any proposals in the programme affecting their area. They will share decision making with Full Partners (except about how any congestion charging revenue is spent). They will contribute 10% funding to match 90% Government funding. Wokingham Council is likely to sign up to this level of partnership.
9. **Level 3 Infrastructure Delivery Partners** will not have direct access to TIF funding and will not share decision making powers. They may benefit from cross-boundary measures affecting their areas, will be kept informed and may lobby for changes to the programme. Bracknell Forest Council is likely to sign up to this level of partnership.
10. **Non-participation** is the remaining option. West Berkshire Council is likely to take this course of action because of its strong opposition to congestion charging in Reading Borough.
11. Reading Borough Council is not at all enthusiastic about congestion charging. It has been trying to persuade DfT to agree to a formula whereby the various transport investments are funded first in the hope that this package of measures will reduce congestion levels below an agreed “tipping point”. It would introduce congestion charging if and only if the package of transport improvements failed to deliver the agreed reduction in congestion.
12. These discussions are ongoing. Meanwhile DfT has been considering the various documents submitted by Reading Borough Council. DfT has indicated that it may be willing to provide £60 million of funding for the first phase of the TIF proposals (2010-2012) if Reading Borough Council introduces a Low Emission Zone (LEZ) for central Reading in 2013.
13. The attraction of a LEZ for DfT is that it would demonstrate on Reading’s part an early commitment to a form of charge-based demand management. This is because entry to the LEZ by commercial vehicles would be free for those meeting low emission standards but there would be a high charge for more polluting vehicles.

Options

14. There are three options for Cabinet in terms of the level of further participation by Oxfordshire County Council in the Reading Area TIF bid. These are:
 - (a) Level 2 Programme Partner
 - (b) Level 3 Infrastructure Delivery Partner
 - (c) Non-participation
15. Level 2 Programme Partner status would give Oxfordshire County Council the advantages of a seat at the decision making table and direct access to funds. The other decision making partners, Reading and Wokingham, are keen to include a third Thames bridge in Phase 3 of the project. A seat at the table could give Oxfordshire County Council the opportunity to ensure that this scheme and alternatives to it are properly evaluated and that it only goes ahead (if at all) in an acceptable way.
16. Level 3 Infrastructure Delivery Partner status would allow Oxfordshire County Council to benefit from cross-boundary schemes without contributing 10% of the cost. However, Reading Borough Council has indicated that it sees any park and ride sites located in South Oxfordshire as its responsibility for funding anyway, regardless of Oxfordshire's partnership level. Other measures such as bus and rail enhancements would only go ahead if they are seen as beneficial to Reading and/or Wokingham. These authorities could also seek to progress the third Thames bridge and, with Oxfordshire County Council effectively having only observer status, this might be harder to influence.
17. Non-participation would be an option if Oxfordshire County Council decides, like West Berkshire Council, that the Reading Area TIF proposals include measures to which it is strongly opposed and which it is unlikely to be able to change by participating at any level of partnership. It would allow the authority to publicly oppose and lobby against the TIF proposals.

Corporate Policies and Priorities

18. Reading's TIF proposals would improve transport choice and value for money for those using non-car modes but motorists could pay more, though there might be congestion benefits. It is too early to assess these impacts until the options have been modelled. The proposals should support Oxfordshire County Council's priorities of Environment and Climate Change and the healthy part of Healthy and Thriving Communities. It is too early to assess the impact on the thriving part of Healthy and Thriving Communities and on a World Class Economy.

Legal Implications

19. If Cabinet decides in principle to participate as a Level 2 Programme Partner then the various documents will need to be checked to ensure that the legal implications are taken into account before the Cabinet Member for Growth and Infrastructure signs any agreement.

Equality and Inclusion Implications

20. Access to a range of jobs and facilities is important, particularly as the recession bites and people need to find new employment or training. Reading's plans for lower bus fares are likely to be based on concessions for those less able to pay (e.g. young people, unemployed) and it is important that disadvantaged South Oxfordshire residents can share in these.

Sustainability Implications

21. While the car is the main mode of transport for commuters to Reading, the highest numbers of car commuters are from areas with direct rail and bus links to the town. This suggests that there may be potential to switch to improved public transport or park and ride. However, this will probably require better onward links to non-central destinations in the borough. A Low Emission Zone in Reading might lead to an improvement in the emission standards of commercial vehicles travelling through Oxfordshire.

Risk Management

22. The main risks are additional traffic in South Oxfordshire and poorer access to jobs and facilities in Reading. However, there are also opportunities to improve bus services and develop park and ride and improved cycle routes. Participation in the TIF process offers the best opportunity to manage these risks and opportunities.

Financial and Staff Implications

23. Oxfordshire County Council would be eligible for TIF funding from Government towards transport improvements within Oxfordshire but (with the exception of park and ride) would be expected to find a 10% contribution towards these. Members will need to consider any such investment against other Oxfordshire priorities.
24. Staff (or consultant) input will be needed to work with Reading Borough Council and neighbouring authorities, particularly in understanding the traffic implications for Oxfordshire of the various elements of the TIF package. Further staff (or consultant) input will be needed in developing transport improvements within Oxfordshire (e.g. bus, rail, park and ride, cycling). A significant contribution towards the cost of this work would be expected from the TIF.

Conclusions

25. On balance it appears most advantageous for Oxfordshire County Council to participate as a Level 2 Programme Partner. However, it should be made clear to the other local authorities and DfT – and accepted by them – that the various elements of the programme, and the bridge specifically, can only go

ahead as part of the TIF package with the agreement of the local authorities in whose areas these are located. (This would confirm Oxfordshire County Council's responsibility as Highway Authority for any new bridge and access roads that are located in the county).

26. This should be acceptable to the other parties but if it is not possible to obtain this agreement then Oxfordshire County Council's participation could be seen as endorsing significant measures to which the County Council is opposed. In this eventuality it is probably best if Oxfordshire County Council does not sign up to any level of partnership.

RECOMMENDATIONS

27. **The Cabinet is RECOMMENDED:**

- (a) **to agree in principle that Oxfordshire County Council can participate in the Reading Area Transport Innovation Fund (TIF) scheme as a Level 2 Programme Partner;**
- (b) **to make clear to the other local authorities and the Department for Transport that this is conditional on their agreement that the various elements of the programme, and the bridge specifically, can only go ahead with the agreement of the local authorities in whose areas these are located; and**
- (c) **to authorise the Cabinet Member for Growth and Infrastructure to sign the partnership agreement subject to the agreement in (b) above and to legal and financial advice.**

STEVE HOWELL
Head of Transport
Environment & Economy

Background papers:

Contact Officer: Owen South Tel: 01865 815735

October 2009

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Division(s): All

CABINET – 24 NOVEMBER 2009

OXFORDSHIRE COUNTY COUNCIL PARKING POLICY

Report by Head of Transport

Introduction

1. Civil Parking Enforcement has been undertaken by Oxfordshire County Council within the City of Oxford since 1997. At that time authority to undertake this work was obtained from the Department for Transport. An application for similar powers to undertake Civil Parking Enforcement in West Oxfordshire District is currently being made.

Background

2. Since the commencement of Decriminalised (now Civil) Parking Enforcement in Oxford policies have been developed taking into account best practice throughout the country and experience within the City of Oxford. This document draws together these policies and practices into one document that can be used to support applications for Civil Parking Enforcement in the Districts within Oxfordshire. The application to the Department for Transport for civil enforcement powers in West Oxfordshire District is being handled by a consultant, RTA Associates, who have drafted this document with the full involvement of officers from both Oxfordshire County Council and West Oxfordshire District Council.

Content

3. The draft document does not introduce any new policies, rather it collates existing information from sources such as the Local Transport Plan, District local plans, current legislation and the parking enforcement policies and protocols that were the subject of a report for Cabinet Member Decisions on 24 April 2008. By bringing together all these separate policy documents into one draft document the Department for Transport's requirements for extracts from such a document to be submitted with each application for Civil Parking Enforcement powers for the districts can be met. It will also serve as a template for civil enforcement teams employed by the district councils to base their operations upon and provide a basis for Oxfordshire County Council to ensure that Civil Parking Enforcement is being undertaken fairly and consistently throughout the county.
4. This is a working document which will be revised from time to time as circumstances and legislation require.

Financial and Staff Implications

5. There are no staff implications in the production of this report. There will be no publishing costs as the document is not designed for distribution (though parts of the document will form the basis for public information documents in the future).

RECOMMENDATION

6. **The Cabinet is RECOMMENDED to approve the Parking Policy Document for use throughout those parts of the County where Civil Parking Enforcement is undertaken.**

STEVE HOWELL
Head of Transport
Environment & Economy

Background papers: Nil

Contact Officer: Pat Higgins Tel: (01865) 815865

October 2009



**OXFORDSHIRE
COUNTY COUNCIL**

www.oxfordshire.gov.uk

OXFORDSHIRE PARKING POLICY

9 November 2009

Final Report

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<i>Project Title:</i>	Oxfordshire Draft Parking Policy		
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1. THE NEED FOR A POLICY

The management of parking is one of the most effective means of tackling congestion and its more serious consequences e.g. increased air pollution, delay and unreliability of public transport services. However, the ease and convenience with which visitors and shoppers can access a location by car can have a major influence on the location's overall success and in particular its economic vitality and viability.

This important role for parking was recognised in the Government's 1998 White Paper "A New Deal for Transport: Better for Everyone" which emphasised the need for the integration of land use and transport policies. Planning Policy Guidance Note 13 on Transport states at section 49 "The availability of car parking has a major influence on the means of transport people choose for their journeys. Some studies suggest that levels of parking can be more significant than levels of public transport provision in determining means of travel (particularly for the journey to work) even for locations very well served by public transport".

2. WHAT WILL THESE POLICIES DO?

This document sets out an overall parking policy for Oxfordshire. It is linked to the second Local Transport Plan 2006-2011 (LTP2).

It will:

- establish objectives for the effective management of parking in Oxfordshire , consistent with Government and Regional policies on travel choice and sustainable development;
- provide advice on the control of the supply of parking in new developments in order to support travel by non-car modes;
- regulate the cost and availability of public spaces to give higher priority to short stay parking in town centres;
- regulate on-street parking through controlled parking zones and, Civil Parking Enforcement;
- enable consistent local area parking management plans to be developed.

The key elements of the policy are set out in the appendices which can be updated and amended as the need arises in the future.

3. THE POLICY OBJECTIVES

The strategy aims to complement policies to reduce traffic growth by controlling the availability of parking spaces, both on and off street, and by managing the overall supply to meet priority uses. In this way, the management of parking can support

policies to promote economic development and support town centres by assisting with the reduction in the levels of congestion.

The objectives of the policy are to:

- **Manage travel demand:** by the integration of transport and land use planning at all levels, so that transport and planning work together to support more sustainable travel choices and forms of development;
- **Reduce the need to travel:** by locating major traffic generators in existing centres where they can be reached without needing a car;
- **Introduce restraint-based parking standards:** by avoiding the over-provision of parking spaces through the replacement of minimum with maximum parking standards;
- **Sustain and enhance the vitality and viability of town centres:** by the introduction of transport policies which support the prosperity of town centres and provide a balance of good public transport and short stay parking;
- **Effectively manage the total parking supply:** by developing parking management plans which include all types of parking and consider short stay priorities, regulation, charges and enforcement.

The policy is based upon a number of key principles:

- Parking Management Plans will need to cover all aspects of parking supply;
- Parking Management Plans will need to ensure effective enforcement of both on and off street parking;
- Parking charges may be used in high demand areas to manage the supply of parking spaces;
- Parking Management Plans should ensure that the specific parking needs of local residents are considered;
- In town centres convenient, short stay parking will be given priority;
- Long stay parking spaces will be provided in less convenient locations, generally on the periphery of town centres;
- The quantity and cost of long stay parking should seek to discourage commuting wholly by car.

4 POLICY CONTEXT

4.1 Legislation

4.1.1 Legal Background

It is the duty of the local traffic authority to exercise the powers conferred by the Road Traffic Regulation Act 1984 as amended (RTRA) to secure the expeditious, convenient and safe movement of traffic and the provision of suitable and adequate parking facilities so far as this is practicable. In recognition of the demand to park and the need to control that parking, legislation exists to prohibit parking (waiting) and to provide spaces where vehicles can be legally parked.

RTRA empowers the County Council to control waiting and loading and to provide parking places. Parking can be provided free of charge, or a charge may be made.

Traffic signs and markings need to be used that comply with the Traffic Signs Regulations and General Directions 2002 (TSRGD 2002) or which are authorised by the Secretary of State.

4.1.2 The Traffic Management Act 2004

The Traffic Management Act (TMA) received Royal Assent on the 22nd July 2004. The main objective is to reduce congestion and disruption on the road network. The TMA enshrines the Network Management Duty, to help and encourage local traffic authorities to achieve its traffic aims:

- More effective co-ordination by street authorities of the various works carried out in the street, whether these are authority road works, utility street works or miscellaneous activities such as the placing of skips, scaffolds and deposits on the highway
- Co-ordination of any operation that may effect the highway network for example refuse collection, deliveries, school transport and events such as carnivals, sporting events etc
- Introducing a range of new powers to allow utility works to be better controlled by the introduction of The Traffic Management Permit Scheme 2007.
- Allowing certain contraventions of the law, such as parking offences, to be dealt with by civil means by Civil Enforcement Officers, rather than through the criminal process.

The Traffic Management Act is in seven parts:

1. Traffic Officers (relevant to motorways and trunk roads)
2. Network Management by Local Traffic Authorities

3. Permit Schemes, Street works and Fixed Penalty Notices (authorisation is required from the Secretary of State for a permit scheme)
4. Street Works (amending the New Roads and Street Works Act 1991)
5. Highways and Roads (includes amendments to the Highways Act in particular relating to skips and scaffolding etc.)
6. Civil Enforcement of Traffic Contraventions
7. Miscellaneous & General

Part 6 of the Act, which was brought wholly into force by 31 March 2008, provides a single framework for the civil enforcement by local authorities of parking and waiting restrictions, bus lane restrictions and some moving traffic offences. This Part enables regulations to be made giving authorities outside London civil enforcement powers to cover some moving traffic offences (such as ignoring the rules at box junctions and banned turns) on the basis of camera evidence or the statement of a civil enforcement officer, and giving additional powers in respect of parking enforcement in areas outside London equivalent to those which already exist in London.

4.2 National and Regional Guidance

4.2.1 White Paper: A New Deal for Transport: Better for Everyone

The White Paper addresses a wide range of transport issues from cycle parking to the imposition of congestion charges and workplace parking levies, the power for which was introduced by the Transport Act 2000.

4.2.2 Transport 2010

Published in July 2000 this builds upon the White Paper and sets out the Government's funding intentions for transport initiatives. The plan aims to reduce congestion through a combination of measures to transfer travel to improved public transport, to manage traffic to make the best use of existing highway infrastructure and to target highway improvements to remove bottlenecks.

4.2.3 The Future of Transport, a Network for 2030

This July 2004 White Paper acknowledges the challenge facing the nation as a result of economic growth. It recognises the resultant increase in the demand for travel and builds on the 10 year plan using three themes – sustained investment of the long term, improvements in transport management and planning ahead.

4.2.4 Towards a Sustainable Transport System 2007 Delivering a Sustainable Transport System 2008

These two documents set out the Government's developing transport policy.

The five broad goals set out in the documents are:

- To **support** national **economic** competitiveness and **growth**, by delivering reliable and efficient transport networks;
- To reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of **tackling climate change**;

- To **contribute to better safety security and health** and longer life expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health;
- To **promote greater equality of opportunity** for all citizens, with the desired outcome of achieving a fairer society;
- To **improve quality of life** for transport users and non-transport users, and to promote a **healthy natural environment**.

4.2.5 Planning Policy Guidance and Statements

Planning Policy Guidance Notes (PPGs) and their replacements **Planning Policy Statements** (PPSs) are prepared by the Government to provide guidance to local authorities and others on planning policy and the operation of the planning system. They also explain the relationship between planning policies and other policies that have an important bearing on issues of development and land use.

Planning Policy Statement 3 (PPS3): Housing (2006) states that Local Planning Authorities should, with stakeholders and communities, develop residential parking policies for their areas, taking account of expected levels of car ownership, the importance of promoting good design and the need to use land efficiently.

As a guide to establishing parking policies that support sustainable development, PPG3, the predecessor of PPS3, points to an upper threshold of 1.5 spaces per dwelling on average. It is to be expected that, with a sustainable approach to parking, local authorities will revise their parking standards to allow for significantly lower levels of parking than have been the case recently, particularly for developments:

- in locations where services are readily accessible by walking, cycling or public transport;
- which provide housing where the demand for parking is likely to be less than for family housing;
- which involve conversions where off-street parking is less likely to be successfully designed into the scheme.

Whatever format of parking is chosen, special account needs to be taken of those with restricted mobility, especially in getting in and out of parked cars and approaching the front door of a house.

Planning Policy Guidance Note 13: Transport (PPG13) requires development plans to set maximum levels of car parking for broad classes of development. The county exhibits a wide range of social and economic circumstances that necessitates a flexible approach to identifying appropriate levels of car parking. Such an approach should provide a level of accessibility by private car that is consistent with the overall balance of the transport system at the local level. Nevertheless, the constraints that

will continue to exist in terms of the capacity of the transport system, when coupled with the need to rebalance the use of the transport system, means that overall local authorities should seek a level of parking provision that is more demanding than that set out in PPG13.

Planning Policy Statement 6 (PPS6) has replaced PPG6 (Town Centres and Retail Developments). Key areas of policy emerging from this document in relation to parking policy include:

- Local planning authorities should assess the extent to which development proposals have been tailored to meet the Government's objectives as set out in PPG13.
- Developers and operators should consider reduced or reconfigured car parking areas
- New developments should be accessible by multiple forms of transport.

The South East Plan is a full revision of Regional Planning Guidance 9 (RPG9 - the current Regional Spatial Strategy for the South East) to cover the period to 2026.

The Plan requires that Local Development Documents and Local Transport Plans should seek to achieve a re-balancing of the transport system in favour of non-car modes and should be based upon an integrated package of measures reflecting, inter alia, "the scale of provision and management (including pricing) of car parking both on and off street".

They should also include policies and proposals for the management of the total parking stock.

Policy T7: Parking states:

Local Development Documents and Local Transport Plans should, in combination:

- i adopt restraint-based maximum levels of parking provision for non-residential developments, linked to an integrated programme of public transport and accessibility improvements;
- ii Set maximum parking standards for B1 land uses within the range 1:30 m² and 1:100m²;
- iii Set maximum parking standards for other non-residential land uses in line with PPG13, reducing provision below this in locations with good public transport;
- iv Include policies and proposals for the management of the total parking stock within regional hubs that are consistent with these limits;
- v Apply guidance set out in PPG3 on residential parking standards, reflecting local circumstances;

vi Support an increase in the provision in parking at rail stations where appropriate;

vii Ensure the provision of sufficient cycle parking at new developments including secure cycle storage for new flats and houses which lack garages.

The document recognizes that “The health and survival of small retailers and services in towns that are not primary retail destinations is highly dependent on convenient and available parking. Care needs to be taken not to discourage visits whilst at the same time minimising car use and prioritising the needs of pedestrians where possible. It is recognised that minimal car usage does not always mean minimal parking provision.

4.2.6 Oxfordshire Structure Plan 2016

Against the background of the Government’s 10 year plan, the County Council’s long term aim for improving transport in the county is “to improve access to jobs and services, particularly for those most in need, in ways which are both safe and sustainable”. The Council has developed a series of long term objectives to realize their aim:

- To manage the county’s system of transport networks in support of a strong local and regional economy;
- To improve access to services, particularly for those without access to a car;
- To improve the safety of travel, and
- To minimize the impact of travel on the environment.

The Structure Plan recognizes that car parking has a major influence on the choice of means of travel and that car parking management is, therefore, an effective tool to be included in a transport strategy that seeks to reduce travel within an area. Car parking restraint should be accompanied by complementary measures to provide good alternative choices for means of travel.

The Plan includes a specific car parking policy:

Policy T2: Car Parking

A comprehensive approach will be adopted for the provision and management of car parking space with the aim of promoting sustainable travel choices. Local plans should include appropriate local policies and proposals.

Maximum standards for parking provision (cars, cycles etc.) will apply to development proposals, taking into account alternative forms of transport (available or to be provided to the site) and the wider transport strategy for the area.

Park and ride schemes will be supported where they support the functions of the principal transport corridors and where they form part of a wider transport strategy for the area.

4.2.7 Oxfordshire Local Transport Plan (LTP2) 2006-2011

The LTP2 includes a Parking Strategy which states:

“The management of parking is one of the most effective means of tackling congestion and its worst effects, such as air pollution, delay and unreliability of journeys. However, the ease with which visitors and shoppers can gain access to a place by car can influence its overall attractiveness and success. A balance therefore has to be struck between managing parking for transport purposes, offering attractive and viable alternatives, and maintaining a welcoming environment for those who, for whatever reason, need or choose to use their car.

“Well-planned location, availability, price and enforcement of parking can contribute significantly to easing traffic flows, especially in the peak periods, making all journeys more reliable. It can also stimulate demand for bus services and thereby increase travel choices. This has been especially successful in central Oxford, where a managed approach to city centre parking, coupled with a well-established Park & Ride system and a comprehensive network of commercial bus services, has led to traffic flows on the approaches to the city centre being held at a constant level for almost 3 decades.”

The main elements of the Parking Strategy are:

Park & Ride

The County Council will:

- Continue to invest in high quality facilities, in particular introducing modern terminal buildings with a range of facilities for the public;
- Explore the market potential and transport benefits of introducing remote Park & Ride sites and services. In the interim, expand existing car parks as necessary to ensure capacity keeps ahead of demand, in particular that which is likely to arise from new development such as the expanded Westgate shopping centre;
- Provide free parking at all park and ride sites
- Work closely with City and District Councils to deliver these improvements.

Controlled Parking Zones (CPZs)

The County Council will:

- Accelerate its programme to deliver new CPZs to protect local streets and achieve the strategic management of traffic, especially in the Headington/Marston area;
- Consult on the introduction of a permit charge to cover costs and limit unrestrained demand.

Enforcement

The County Council will:

- Introduce a Countywide Special Parking Area (SPA) to ensure on street parking controls are effective; and
- Target enforcement on main roads and bus routes to keep traffic moving and reduce congestion.

Public Parking

The County Council will:

- Manage the overall availability and price of on-street parking to maintain the local economy, keep traffic levels down (particularly at peak travel times) and support alternatives like Park & Ride;
- Work closely with the City and District Councils to ensure good coordination and compatibility of the approach to parking and improve the quality of car parks;
- Identify key rail stations across the county where parking facilities can be improved to support increased accessibility to rail services; and
- Provide formal parking spaces where requested for people with disabilities.

Parking Standards

The County Council will work with planning authorities to apply parking standards for new development that help to deliver transport benefits, generally maintaining an element of restraint in towns centres where alternative transport is more readily available and applying realistic standards elsewhere to ensure parking overspill does not cause local amenity problems.

The County Council welcomes the development of car clubs and the increased use of electric vehicles and will develop policies and procedures as the need arises.

Work has commenced on the preparation of LTP3 which will include and update on progress with the implementation of the parking policy.

4.3 District Council Local Plans (to be replaced by Local Development Frameworks)

4.3.1 Cherwell District Council Local Plan

The Cherwell District Council non-statutory Local Plan 2011 contains a number of policies which reflect the recent changes in Government policy, notably in the provision of parking at new developments.

The Council proposes to adopt a management policy for public town centre parking and to create residents only parking zones.

There are also policies controlling the redevelopment of existing public parking sites.

4.3.2 Oxford City Council Local Plan 2001-2016

The aim of the City Council's transport policy is to reduce the need to travel, particularly by private car, and to give people greater choice in the way they travel by walking, cycling and public transport.

Oxford has had a long-term policy of balanced transport provision. In 1972 the City Council established its Balanced Transport Policy for the provision for walking, cycling, public transport and car. The policy involved the introduction of five key elements:

- control of parking in the City centre;
- residents' parking schemes;
- bus priority measures;
- facilities for pedestrians and cyclists; and
- park and ride.

From this evolved the current Oxford Transport Strategy (OTS), which focuses mainly on access to the City centre. The OTS was established in 1993 by the City and County Councils. Its principles underpin the balanced transport approach and continue the City Council's policies on controlling car parking and supporting non-car travel as the main means of access to the City centre.

The plan includes specific policies relating to Park and Ride, City Centre car parking and Controlled Parking Zones:

POLICY TR.9 - PARK AND RIDE

Parking provision at the Peartree, Redbridge and Seacourt park and ride car parks will be protected for park and ride purposes, including additional capacity. Where appropriate, the City Council will seek contributions towards park and ride improvements, and secure them by a planning obligation.

POLICY TR.11 - CITY CENTRE CAR PARKING

The City Council will not allow any significant increase in the overall number of parking spaces in the Transport Central Area, and will maintain approximately the present number of public off-street parking spaces.

Where appropriate, the City Council will support the implementation or extension of controlled parking schemes.

Where appropriate, the City Council will seek developer contributions towards the design, implementation, administration and enforcement of controlled parking schemes, and secured by a planning obligation.

Planning conditions may be applied which prevent development from taking place until exclusion from residents' parking schemes, or other on-street parking, has been secured.

4.3.3 South Oxfordshire District Council Local Plan 2011

The Plan includes policies designed to *"manage off street parking to improve the attraction and viability of villages and town centres"*.

Policy T8 states:

"A comprehensive approach will be adopted to the provision and management of car parking spaces in order to:

- (i) improve the attraction of existing town and village centres and seek to maintain and enhance their vitality and viability; and
- (ii) encourage other transport modes as alternatives to car-borne travel.

Current and planned levels of car parking in the towns and villages will be maintained until public transport services and safe cycle routes are sufficiently developed. Additional parking will only be provided where there is special justification."

The Council operates limited free parking within a pay-and-display system in the four towns of Didcot, Henley, Thame and Wallingford, and at Goring. The free parking encourages local shopping which aids the economic viability of the district's town and village centres. Short-stay car parks are close to shopping areas and are generally restricted to a three hour maximum stay. Within the rural areas of the district, the Council endeavours to provide off-street parking which is convenient to village centres, where it is needed. Car parking in the villages has become increasingly important, particularly in the larger villages, which offer a range of services that attract customers from the surrounding areas.

The District Council recognises that the level of car parking provision in towns and villages has an important influence in determining the choice of means of travel by a significant proportion of the local population. However, it is also generally recognised that at present alternative means of transport, particularly public transport services and safe cycle routes, are insufficiently developed and publicised to present an adequate alternative means of transport for many of the shoppers and employees dependent on the market towns, villages and employment centres. When these facilities and services have been improved to provide viable alternatives, consideration will be given to reducing the number of long-stay car parking spaces in the towns and villages. In advance of these improvements the Council will maintain current and planned levels of parking and will only provide additional off-street parking spaces where there is special justification following every effort to manage existing spaces for the benefit of all users of the car parks.

The Council supports the introduction of residents' parking schemes in town and village centres where the lack of private parking causes difficulties for local residents.

4.3.4 Vale of White Horse District Council Local plan 2011

The Plan includes car parking policies for the main settlements.

Policy TR6 states:

Within the town centres of Abingdon, Wantage and Faringdon and the existing local centres at Abingdon, Botley, Faringdon, Grove and Wantage, the loss of public car parking, particularly for short stays, will not be permitted if it would adversely affect the vitality and viability of these centres. At Wantage, the wharf area as shown on the proposals map will be safeguarded as an area suitable for additional public car parking.

The ready availability of car parking plays a crucial role in supporting the prosperity of the districts' town centres. As car ownership and use rises, and if edge-of-town car-served shopping is not to increase (often at locations outside the Vale, but within reach of its residents), it will be vital that the Vale's town centres continue to offer adequate car parking within a balanced transport framework to meet the growing needs and expectations of local communities.

In the face of increasing demand and to ensure that in the town centre of Abingdon, Faringdon and Wantage the correct balance is maintained between the provision of short-stay shopper parking spaces and long-stay commuter spaces, it will be

essential to prevent the loss of existing public and private car parking space. Similarly at the neighbourhood centres at Botley and Grove and local centres at Abingdon, Faringdon and Wantage, all of which provide valuable shopping facilities conveniently serving the surrounding residential areas, it will be important to maintain available parking space. The Council will therefore seek to resist the loss of car parking facilities available to the public at these town and local centres unless it can be convinced that the vitality and viability of the centres will not be harmed.

It will be important to ensure that adequate public long-stay spaces are available to reduce the likelihood of increased parking in residential areas close to the centres. On-street parking controls, such as residents parking schemes may well be necessary in such areas.

4.3.5 West Oxfordshire District Council Local Plan 2011

The Plan includes a policy relating to Car Parking. PolicyT8 –New Off-Street Public Car Parks states:

Proposals for new off-street public car parking areas will only be permitted where:

- a) they would ensure the continued vitality and viability of a town centre or of other facilities attracting visitors; or
- b) the local environment is being seriously damaged by on-street parking and alternative parking provision is essential.

This policy does not apply to car parks provided as part of an interchange facility. On-street parking may damage a sensitive local environment such as a town centre or Conservation Area. In such circumstances it may be possible to provide off-street parking areas, but only if non-essential use of the motor car will not be encouraged. Where additional public car parking areas are proposed in town centres, they should be sited, designed and subsequently managed so use of the facility strengthens the vitality and viability of the town centre as a whole.

5 MANAGING PARKING

5.1 Civil Parking Enforcement (formerly Decriminalised Parking Enforcement)

The process which is now generally referred to as "decriminalisation" is a consequence of the opportunity included as an aspect of the Road Traffic Act 1991 that local authorities can apply to the DfT to transfer the responsibility for parking enforcement from the local Police to themselves. These powers were decided upon as a consequence of increasing dissatisfaction with the criminal system of justice as applied to parking enforcement, particularly in London. The Police priorities for enforcement, their ability to meet the growing and changing needs for enforcement, and the ability of

the court system to cope with the consequences of non-payment of parking tickets all contributed to the pressure to introduce fundamental change to the system.

The position now is that all of the London Boroughs have implemented the powers, and there is a steady growth in interest outside of London at the adoption of the powers. A significant number of non-London authorities (c.200), including most neighbouring Councils, have introduced DPE. With the coming into force of Part 6 of the TMA DPE is now described as Civil Parking Enforcement (CPE).

A summary of the CPE procedures and the effect of the Traffic Management Act are provided in Appendix 13

As required in the Government Guidance, when the Civil Enforcement Areas cover the whole of the region, it will be important to ensure that Civil Parking Enforcement is managed and operated in a consistent, uniform and appropriate manner in all areas. Issues which will need to be considered include:

- Public Consultations
- Staff Training and Qualifications
- Enforcement Policies
 - Staff deployment
 - Identification of contraventions
 - Observation rules
 - Civil Enforcement Officers' discretionary powers
- Permit management
 - Processing
 - Cancellation policy
 - Debt recovery
- Annual Reports
 - Data collection
 - Publicity
- Policy review

These issues are considered in Appendix 13.

5.2 Co-ordination with the Police

Whilst the primary duty of parking enforcement will be transferred to the Council, the enforcement of most moving traffic offences will remain with the Police. It is important that there is a good working relationship between the Police and the Council. There are opportunities for mutually beneficial information sharing and support which should not be lost by the transfer of powers.

6 PUBLIC CAR PARKING

The different categories of public parking are long and short stay, regulated and unregulated, free and charged, on and off street. These need to be addressed in the preparation of parking plans. Parking management policies on maximum duration of stay, charges and enforcement levels can all be used to influence travel demand.

The controls, which an authority has available to it, or chooses to use, will depend upon the type of area and its level of ownership of off-street spaces. At one extreme, on-street controls and charging will be minimal where parking densities are low and do not affect highway operations. Elsewhere, probably in larger centres, parking demands will create on-street pressures and congestion, which may require greater control to satisfy priority demands.

Parking demands place pressure on the control and management of spaces through the competition for spaces. This is most evident on street around major attractors, such as railway stations where commuters and residents compete for limited spaces. In town centres the parking supply must accommodate a range of short and long stay uses, which may result in queues at car parks or excessive circulation in search of spaces.

6.1 Off Street Parking

Wherever possible the County Council will seek to influence charging regimes, specifically in the urban areas, to influence demand and balance the needs of commuters or employees (i.e. long stay parking) and the requirements of local businesses and shoppers (i.e. short stay parking).

During the period of the LTP2 the County Council will encourage the development of strategies for town centre car park charges that benefit short stay over long stay parking. Not only will this approach encourage shopping and support economic activity, it will also incentivise more sustainable and congestion friendly travel to work. The County Council will continue to work with the District Councils, local businesses and employees to encourage the use of long stay car parks, Park & Ride, car sharing, public transport, cycling and walking for the work journey.

This approach also needs to reflect the rural nature of much of the County, which means that for many people the car remains the most suitable means of transport. It is important, therefore, to ensure that parking rates for employees are set at levels that do not prevent local businesses recruiting staff.

6.2 Prioritising the supply of parking

Controlling the type, availability and location of parking can also influence travel demand. Locating public transport and sustainable transport facilities (e.g. cycle

parking) closer to the main attractions rather than car parking in a town centre can make these modes more attractive; whilst prioritising parking spaces in car parks, such as locating car share spaces closest to the exit, can also influence modal choice.

6.3 Privately Operated Public Car Parks

In some town centres there are privately operated, public car parks. The County Council believes that it is essential to the effectiveness of car park management that the operation and tariff structures of these car parks is compatible with that applying at car parks managed by the District Councils.

Accordingly, the County Council will encourage the District Councils to enter into management agreements with private car park operators. The management agreements should seek to achieve:

- Co-ordinated tariff structures which support the individual Councils' policy of giving preference to short stay parking in town centres;
- Co-ordinated signage and information boards;
- Adequate provision for those with special needs.

6.4 On-Street Parking

The main issue concerning designated areas of regulated parking is how controls are managed, charged and enforced. In many parts of the county there will be little or no need for on-street controls apart from selective waiting restrictions applied for safety or capacity reasons. More stringent controls are more likely to be required in town centres, commercial areas or around railway stations where competition for spaces will be greater.

Where competition for spaces occurs, priority will normally be given to short stay parking. Longer stay commuter parking will be discouraged in town centres as it will reduce the opportunity for shorter stay parking which is vital to local economy. Subject to the needs of residents being safeguarded, long stay parking will be directed towards the periphery of town centres. Short stay parking should be conveniently situated for shoppers and visitors. Long stay parking should preferably be located in areas within walking distance of centres.

Parking controls will be applied selectively in order to address specific problems and will not be used unnecessarily. Limited waiting pay and display spaces close to neighbourhood shopping centres may be introduced in order to provide adequate short stay spaces without the need for more extensive controls. In areas where

conflicts are likely to be more widespread, controlled parking zones (CPZ) have been introduced to manage area-wide parking issues. Additional CPZs will be introduced as the need arises.

6.5 Objectives of On-Street Parking Control

- To remove the danger to other road users caused by obstructive parking;
- To ensure adequate road space is available for the free movement of all road users;
- To regulate and control the parking of vehicles, as far as is possible, to such places and times as are convenient to all road users and the needs of the community.
- To ensure a fair distribution of suitable on-street parking space, within competing demands and resources available.
- To reduce the need to travel by private car and encourage the use of alternative means
- To minimise the adverse effects of motorised transport on the environment and health
- To improve accessibility, particularly for non-car owners and people with mobility or sensory impairment.
- To maximise parking in off-street car parks.
- To enable the safe servicing of industrial and commercial premises.
- To reduce personal injury accidents.
- To provide a level of enforcement commensurate with the scale of contravention and the finances available

6.6 Residents Parking

In recent years there has sometimes been intense competition for on-street parking in the residential roads around central Oxford. Investigation has shown that increased levels of car ownership in each household has reduced the amount of parking available and that on weekdays the parking spaces in these roads are being taken by commuters who do not want to pay parking fees.

To alleviate the problem for the benefit of residents' a number of Resident Parking Schemes have been introduced. Residents within these schemes may buy permits that allow them to park in sections of the road dedicated to resident's parking, or which exempt them from the parking restrictions in place. Both the parking spaces available to non-residents and the length of time they may park are restricted. There are exemptions within the schemes for visits by family and friends.

The overall aim of the schemes is to:

- Give residents and other permit holders priority over others for the available parking space;
- Improve access to and reduce congestion in the residential streets.

- To reduce the number of commuters entering the City.

A small scheme has been introduced in Bicester and further schemes are under consideration in Banbury. There are also small schemes in Henley on Thames and Abingdon.

Charges will be made for residents, business and visitor parking permits. Blue Badge Holders are exempt from payment.

Arrangements are available for carers, builders, removals and funerals.

The number of permits available to individual households and to businesses will be determined by the local circumstances in each zone.

A Residents Parking Policy and more details are provided in Appendix 3.

6.7 Parking provision for those with special needs

6.7.1 The Disabled (Blue Badge Holders)

Off Street

The Councils will follow the general advice included in '*Parking for Disabled People*' and '*PPG13 Good Practice Guide*', both published by the former Department for the Environment, Transport and the Regions (DETR).

For non-residential developments, 6% of parking spaces should be allocated for disabled persons. In areas of high parking restraint this may not give sufficient spaces, and additional provision may be required. Car parking spaces for people with disabilities should be larger than usual to enable a wheelchair user to transfer easily to and from a car, and thus should have minimum dimensions of 5.0m x 3.6m. Spaces for those with disabilities should be located close the pedestrian entrance/exit of the car park and an at-grade route provided to the shopping area.

On Street

Specific on-street parking spaces for the disabled should be conveniently located and suitable routes provided to the shopping area.

In residential areas where on street parking is at a premium consideration will be given to the provision of special parking spaces for disabled residents. These will be marked in accordance with the regulations and will not be person specific and may be used by any disabled badge holder. The requirements for eligibility are:

1. Applicants must hold a current valid blue badge.
2. There should be no existing waiting restrictions.
3. There should be no suitable off-street parking available (e.g. drive or garage).

4. The vehicle used should be registered to the badge holder's address.
5. Safety - the vehicle parked is not likely to cause obstruction i.e. there is sufficient road width for emergency vehicles to pass, the location is not less than 10m from a junction, road space intended as turning space should not be used for marked bays (even if this practice currently occurs) etc.

6.7.2 Carers

In order to provide for the needs of carers in Oxford and North Hinksey, the County Council has made a traffic regulation order which enables a carer working from a medical practice (but only when attending to a medical patient):

- a) for a period not exceeding 3 hours in a length of road in which waiting is prohibited, except where there is a loading ban or a clearway in operation;
 - b) in a parking place for a period not exceeding 30 minutes longer than the maximum period for which parking is permitted in that parking place;
 - c) without time limit in a permit holders' parking place;
 - d) in a bus lane, except where there is a loading ban or a clearway in operation,
- Provided in each case that:-
- i. the vehicle is not causing an obstruction;
 - ii. it is not reasonably practicable for the vehicle to wait other than in a location and for a time specified above.

It is anticipated that, as Civil Parking Enforcement is introduced in other districts within Oxfordshire, relevant traffic regulation orders will be made to extend the scheme to other Civil Parking Areas.

Numerous care organisations are now operating in the area as a result of contract arrangements with Social Services and the Local Health Authority as well as privately arranged care. Each will often display badges issued by the various organisations but, due to the variety of badges in circulation none are recognised by the Council as valid authorities to park in contravention of prohibition of waiting orders.

A system is in place in Oxford enabling residents living in permit parking zones in need of non-medical care at home to have a permit which can be used by visiting carers to park in permit parking spaces for a set period of time. It is anticipated that, when residents permit parking schemes are introduced in towns in other Civil Parking Areas, that a similar arrangement is introduced to accommodate those people being cared for in their homes.

6.8 Specialist Parking

6.8.1 Parking for Heavy Goods Vehicles

The on-street parking of heavy goods vehicles in residential areas will be discouraged and where necessary controlling traffic regulation orders will be introduced.

The Councils will work to ensure that adequate overnight off street parking facilities are provided for heavy goods vehicles.

6.8.2 Loading Bays

In town centres and business areas consideration will be given to the provision of specific bays reserved for vehicles loading/unloading in connection with business use at nearby premises. Each individual site will be considered on its merits.

6.8.3 Taxis

The Councils will work to ensure that adequate provision is made for ranks for the standing of licensed taxis. These will be provided for access to town centres in locations where parked vehicles will not hinder normal traffic flows.

Additionally, part-time evening and overnight ranks will be considered in locations which serve the night time economy.

6.8.4 Coach Parking

The Councils will work to ensure that adequate levels of off street coach parking are provided in town centres and at tourist attractions.

On street set down and pick up facilities for coach passengers will be provided where a specific need is identified and justified.

6.8.5 Parking for Powered Two Wheelers

The number of motor cycles is increasing nationally and with it the demand for parking facilities in town centres. The Councils will consider requests for on street parking bays for motor cycles and work to ensure the provision of conveniently located, secure off street provision in public car parks.

6.8.6 Cycle Parking

Nationally one third of all car trips are for less than two miles and cycling is an ideal way to make many of these local journeys and assist with the reduction of congestion and CO² emissions. In common with car journeys cycle trips end with a need for a parking facility. The Councils will work to provide suitably located, safe and secure parking facilities both on and off street in town centres and at other locations where demand justifies. Suitable direction signing will also be provided.

6.8.7 Car Clubs

Car clubs provide their members with quick and easy access to cars for short term hire at a reasonable price, and for many people who do not use their car every day, it is a cheaper alternative to owning a vehicle.

People who do not own cars tend to make fewer journeys by car and more by public transport, walking or cycling. This contributes to reducing congestion and the environmental impacts of car traffic, as well as helping to reduce parking demand. The Councils will encourage the development of Car Clubs and work towards providing suitable parking places in appropriate locations.

6.9 Footway and Verge Parking

The Highway Code says: "Do not park partially or wholly on the pavement unless signs permit it".

Under section 19 of the Road Traffic Act 1988, Heavy Goods Vehicles are banned from parking on the footway, although the section is subject to a number of exemptions; in particular an HGV may be parked on the footway when loading/unloading is in progress.

Some urban Local Authorities have adopted powers (through Local Acts) to prohibit parking on footways and verges throughout their areas. This prohibition is usually indicated by signs at the boundaries of the urban area. However, there is no national legislation prohibiting the parking of all vehicles on footways and verges, due to the wide range of circumstances where footway and verge parking occurs; in many cases because drivers have little option but to park on the footway or verge in order to avoid causing disruption to moving traffic.

Parking of cars partly or completely on the footway can be authorised by Traffic Regulation Order and is authorised in certain streets in Oxford. There is a need to ensure that adequate width of footway is retained for pedestrians, particularly those in wheelchairs or with perambulators.

Part 6 of the Traffic Management Act 2004 which came into force in 2008 enables action to be taken when a vehicle is parked alongside a dropped kerb in a Special Enforcement Area. The County Council will review its policy in the light of current DfT guidance.

7 PUBLICITY AND INFORMATION

The Council will ensure that details of the location of all public parking facilities, any use restrictions applicable and the current costs of parking are made available to customers through:

- car parking information leaflets;
- pages on the Councils' websites.

These will be reviewed on a regular basis and where necessary updated/republished.

Information boards will be provided at all car parks. These will kept to a simple and unambiguous format and will provide the following information:

- The controlled hours
- Any fees and charges and the times of day or days when fees and charges apply,(including specific references to the situation on Bank Holidays and public holidays);
- Information on how to pay, if fees and charges are in place (e.g. pay and display, mobile phone, etc. with essential and relevant instructions);
- Exemptions (Blue Badge, permit holders, etc);
- Any maximum stay periods / non return periods;
- What type of vehicles may or may not use the parking place;
- That a penalty charge might be incurred if the regulations are contravened where civil enforcement applies;
- Whether or not vehicle immobilisation /removal is used for enforcement purposes (and what to do in the event);
- Who operates the parking place (the name of the council);
- Contact information;
- Where additional information about the Parking Places Orders and related matters can be obtained.

The Councils in whose areas CPE is in operation will produce an annual report containing the following information:

i. Introduction/background

- Explanation of CPE, Council's responsibilities;
- Brief explanation of process;
- Policy context, reference back to Council's transport/parking policy documents and any previous reports.

ii. Summary of significant changes in previous 12 months. Examples:

- Introduction of CPE;
- Changes to Councils' parking and enforcement policies;
- Change/renewal of enforcement deployment;
- Significant changes to patterns and scale of enforcement operation;
- Changes to types of enforcement (e.g. bus lanes, moving orders, clamping/removal).

iii. Operational information

- Income/expenditure;
- Number of PCNs issued on/off street and by town or significant geographic area;

- Number of PCNs issued by higher or lower charge;
 - PCNs paid at various rates;
 - Number of and outcome of appeals;
 - Any other financial and statistical data required by the Guidance.
- iv. Effectiveness of operation
- Sample area compliance surveys;
 - Changes in accident statistics;
 - Changes in traffic flow;
 - Success in meeting policy objectives;
 - Comparison with previous years;
 - Customer feedback including interviews (residents/visitors/businesses).
- v. Future plans
- Likely use of any surplus;
 - Changes to enforcement policies;
 - Likely changes to operation in next 12 months (and beyond).

8 THE COUNCILS WORKING TOGETHER TO SUPPORT THE LOCAL ECONOMY

8.1 The Question

“How can parking in smaller towns be managed to best support the local economy and the needs of the local residents?”

8.2 The Parking Service

Parking is a service which has to be managed properly. A “free for all” (no restrictions, no charges, no enforcement) approach is not an option.

A good quality service will meet the needs of all of its customers – shoppers, visitors, workers and residents. The parking stock needs to be allocated to meet their differing needs. A correct allocation will ensure that the stock is used efficiently – reducing underused locations and reducing the pressure on the more popular sites. Effective enforcement will be a key element.

8.3 Economic Links

It is important to recognise the linkage between parking and the economic vitality and viability of a centre. However, parking is only one factor that will affect whether or not people visit a town. The town’s competitiveness will depend, rather more than business communities usually perceive, upon factors like the quality of the shopping experience; the proximity of competing centres; and the quality of other attractions.

8.4 Integrated Approach

Parking should be a properly integrated element of the key strategic objectives of the Council. This will ensure that appropriate measures are introduced to improve access to the centre by other modes of transport; so that as many people as possible are encouraged to use those alternatives. This will free up parking spaces for the many that do not and may never have alternative modes available to them.

8.5 Key Town Centre Objectives

Typical town centre objectives to which a parking strategy can contribute include:

- A strong economy;
- Improved accessibility;
- Quality environment;
- Improved land use.

8.6 Parking Operational Objectives

The operational objectives of a parking service should include:

- Providing a high quality service for all customers;
- Improving access to the town for all key users – shoppers, visitors, workers, residents;
- A high quality enforcement regime controlling illegal parking and reducing its impact on traffic movement;
- The creation of a revenue income for the Councils for use on projects, some of which should be designed to stimulate the use of alternative modes of travel.

8.7 The Customers' requirements

The customer, whether a shopper, visitor, worker or resident, will have certain expectations:

- That a high quality, well signed car park will be available in a location convenient to his/her requirements;
- That a parking space will be available and that he/she will be able to park for as long as they require;
- That the car park will be well laid out, well lit, safe and secure (for both the vehicle and the occupants); and
- That the cost will be fair; reflecting the quality of the facility.

It is important to note that for many car park users the last "requirement" – the cost of parking – is actually the least important consideration. This is particularly the case with visitors who are usually more concerned about locating a convenient parking

space than the cost of parking. This is also true, but to a lesser extent, with shoppers. However, workers, visiting every day, will usually seek a cheaper, albeit more remote, car park.

8.8 Meeting the Customers Requirements

Shoppers

- Needs will depend on the shopping experience available in the town;
- The larger the shopping centre, the longer the shopping stay;
- The shorter the stay, the closer to the shops the shopper will expect to park.

Visitors

- Needs will vary from location to location;
- Day visitors to a tourist destination may require 3-5 hours parking;
- Will need clear direction signing to the car parks and the visitor attractions.

Workers

- Either full time needing all day parking; or
- Part time needing, perhaps 4 hours parking;
- Parking fees may be a significant cost for low paid workers, who may be tempted to try to locate “free” parking away from the car parks.

Town Centre Residents

- Will seek to park close to home;
- Main needs likely to be late afternoon, evenings and weekends;
- Will not wish “their” street to be full of other peoples’ vehicles;
- May seek low cost permit parking even where it is not justified.

Local Businesses

- Require access for servicing and deliveries;
- Require convenient, low cost parking for their customers as close to the premises as possible.

Meeting all the Various Requirements

This can be achieved as far as possible by the provision of:

- Integrated management of on and off street parking;
- A well structured charging regime for both on and off street parking;
- A charging structure that reflects the needs of the individual towns;
- A charging structure that reflects the varying needs of all of the users of the service.

To achieve this, a parking service would need to provide:

- Some on street short duration parking with charges at least as high as the nearest off street parking; charging in small time increments (20-30 minutes);
- Short stay, higher cost off street parking closest to central shopping areas; maximum stay say 2 hours;
- Short and medium stay parking further from the centre for longer trips and in tourist centres conveniently located for the attractions;
- Long stay parking at a greater distance with tariffs set to suit both full and part time workers;
- Where circumstances demand permit parking arrangements in residential areas.

In all cases the tariffs would need to be set at a level which reflects the nature of the town; at a level which will ensure proper management of the parking service whilst not having an adverse effect on the local economy. Tariffs should be set in line with the perceived attractiveness of individual urban areas, with the assumption that the more attractive areas can sustain higher charges. It is also important to remember that in the more rural areas of the county there are few, if any, suitable alternative modes of transport available to residents.

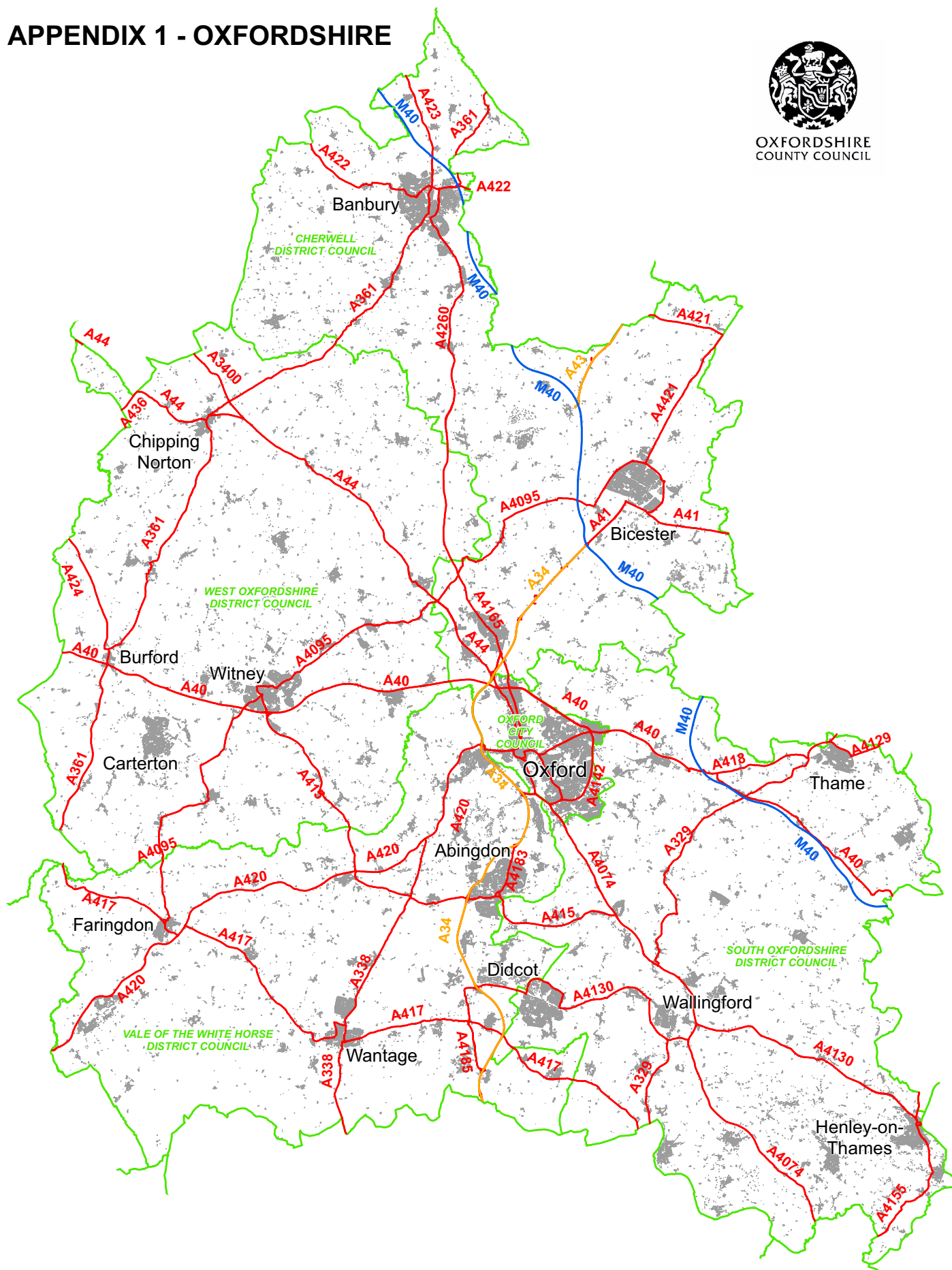
The application of a structured charging regime should seek to maintain and, if possible, enhance the economic vitality and viability of the individual towns without increasing unnecessary competition between centres and the consequent increase in travel.

Tariffs should be reviewed annually.

APPENDIX 1 - OXFORDSHIRE



OXFORDSHIRE
COUNTY COUNCIL



Key:

- | | |
|--|---|
| — District Boundaries | — A34 Trunk Roads |
| — M40 Motorways | — A40 A Roads |

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Not to Scale

Appendix 2**PARKING CHARGING POLICY**

Parking charges vary across the county reflecting the differing natures of the settlements.

Oxfordshire County Council

The County Council considers that the management of parking is one of the most effective means of tackling congestion and its worst effects. Well planned location, availability, price and enforcement of parking can contribute significantly to easing traffic flows, especially in the peak periods, making all journeys more reliable.

Cherwell District Council

The Council's policy is to provide public parking at an affordable price ensuring that there is a healthy turnover of spaces so that as far as reasonably possible all who wish to park in the District's town centres can do so. The tariffs of private sector competitors are tracked and the Council seeks to keep its charges within them.

Oxford City Council

Parking is limited in Oxford and motorists are encouraged to use the Park and Ride service. There are five secure car parks. The buses are modern and frequent.

Charges for parking in the City centre are set at a level which encourages use of the park and ride services.

South Oxfordshire District Council

"A car park pricing policy was set by Cabinet in November 2006:

a) Car park fees and charges shall be set so that over a five-year rolling period they at least meet the costs of car parks calculated in accordance with proper accounting practice. Costs will include charges for capital expenditure.

b) Pricing may be used to regulate and influence usage to support town centre vitality and viability. Therefore, short term and long term parking to be differentially priced and located to encourage workers to park on the edge of towns to free up town centre parking for shoppers and visitors.

c) Car park fees and charges to be benchmarked against

- i. car parks provided in towns and villages in the district by other bodies*
- ii. on-street parking charges*
- iii. car parks in neighbouring authorities:*
 - Cherwell DC*
 - Aylesbury Vale DC*
 - Wokingham DC*
 - Wycombe DC*
 - Vale of White Horse DC*

d) Parking is provided free of charge for disabled badge holders

e) No fees and charges to apply on Sundays

f) Parking fees and charges to be reviewed annually

Season tickets and permits

g) Season tickets are available for purchase in advance by residents, tourists and businesses for all long stay car parks but do not guarantee a place. They are available for one year, a quarter or one week at a discounted rate.

h) Permits are available for market traders which give discounted rates for all day parking in long stay car parks for one particular day of the week over a quarter or a year. They also do not guarantee a place.

i) Discounts will be determined each year when fees and charges are reviewed."

Vale of White Horse District Council

The District council has included the following statement in the Local plan:

"One way of responding to increased demand is to use existing car parking spaces more effectively. Car parks closest to shops can be used to achieve a high turnover of shoppers' cars by the use of pricing and time controls. Long-stay car parking for commuters wishing to park all day, for example, can be located further from the town centre. Ideally this should be at the periphery of the town centre, where pricing can make their use attractive. The District Council already operates this kind of management in Abingdon, Faringdon and Wantage. It is likely that most future additional car parking provision will be in the long-stay category in order to free up further valuable town centre spaces and because suitable sites are most likely to be found at the periphery of town centres or on the edge of town. It will be important to ensure that adequate public long-stay spaces are available to reduce the likelihood of increased parking in residential areas close to the centres. On-street parking controls, such as residents' parking schemes may well be necessary in such areas."

West Oxfordshire District Council

West Oxfordshire District Council provides free parking in all of its 16 car parks.

Car parking restrictions are necessary to keep traffic flowing and enable people to park conveniently. Wardens monitor the use of car parks to ensure that, amongst other offences, motorists comply with the following:

- time limits are not exceeded
- parking places are used correctly (i.e. vehicles are parked within marked bays)
- disabled parking and mother and toddler bays are not misused.
- unauthorised trading
- failure to display a valid parking permit

- parking on double yellow lines
- vehicles do not exceed the 3500kg weight limit.

Appendix 3**Residents Parking Policy**

It is anticipated that the eligibility criteria required to prove that an applicant is a resident will become standard as new Controlled Parking Zones are introduced.

The County Council operates a number of Controlled Parking Zones, mostly in Oxford. A number of schemes exist elsewhere in the county and others are under consideration.

A controlled parking zone (CPZ) is an area where on-street parking controls have been introduced by the local transport authority to manage parking. This means that parking is only permitted in designated parking bays, and that the remainder of the kerbside space is subject to yellow line restrictions. CPZs are mainly used to tackle the problems caused by commuter parking. This can be achieved by introducing permits, which give priority to residents and those with an essential need, as well as providing parking places for short-term parkers.

The hours of operation of permit parking schemes will vary according to the needs of the particular zone.

The permits allow residents, their visitors and local businesses (businesses would have to prove operational need for a vehicle) to park in designated parking bays, but only when displaying the relevant parking permit for that zone. In some zones there is provision for parking by visitors to hotels.

Short-term time-limited parking bays provide parking for non-permit holders visiting residents and businesses in the zone.

There are four types of parking bays in CPZs:

Resident permit holders only

Residents, and their visitors, can use designated bays providing valid permits for that zone are displayed. Blue Badge holders can park without restriction.

Permit holders only

All permit holders including blue badge holders can use these bays. In addition, businesses and visitors to hotels and guest houses can use them, providing they display a valid permit for the zone. An operational need would have to be demonstrated in order to qualify for these permits.

Short-term time-limited

Anyone can park in these places without displaying a permit, provided they observe the time limit. The time limit may range from one hour up to four hours, so please check the restriction plate. Again, Blue Badge holders can park without restriction.

Shared use spaces

Like the short-term time-limited bays, anyone can park there without displaying a permit, provided they observe the time limit. However, all permit holders for the zone, as well as Blue Badge holders, can park without restriction. The signs for these spaces will state both 'permit holders' and a 'time limit' on the same sign.

Zones vary in their times of operation and restrictions. Zones near town centres often have restrictions at all times, while those in outlying areas are not in force outside the working day. Large zone entry signs inform drivers they are entering a CPZ area. These signs indicate the times the CPZ operates.

Each type of bay (identified by white markings on the road) will have its own restriction sign plate next to it which may be sited on a post, wall or lamp column. This will state who can use the bay and the hours when restrictions apply. Like the zone entry sign, if the restriction plate accompanying the parking bay does not state a time limit or duration, e.g. Monday - Saturday, then the bay is enforceable seven days a week 24 hours per day.

Details of the arrangements for purchasing permits will be provided on the appropriate Council website.

Residents' parking schemes are designed to regulate parking, to reduce highway obstruction and to give priority over available space to residents and their visitors. Drivers should check daily that the location bay they are parked in has not had a suspension notice added.

Use of "Permit Holders Only" Parking Places

These parking places are available generally for the full 24 hours of every day unless specifically signed otherwise, when they may only be used by:

- i. vehicles displaying a valid resident's parking permit, or
- ii. vehicles displaying a valid visitor's parking permit, or
- iii. vehicles displaying a valid business parking permit, or
- iv. vehicles displaying a valid carer's parking permit, or
- v. vehicles displaying a valid disabled parking badge.

All permits are issued for use in the designated bays on the public highway only. Permits are only valid in a particular permit controlled zone. All permits must be clearly displayed inside the front windscreen on the nearside of the vehicle, in such a way, that the details can be easily viewed from the pavement.

Application for a Resident's Parking Permit

Before issue, the applicant must sign a completed application form and provide satisfactory proof of residency at an eligible address and ownership of the car. The number of permits available will depend on the local circumstances in the zone.

Visitor Parking Permits

Visitor parking permits are available to all eligible residents aged 17 or over within a zone. The number of visitor parking permits available will depend on the local circumstances in the zone.

Blue Badge Holders

Blue badge holders can park in any resident's bay, or on-street pay & display spaces free of charge for an unlimited period. Parking is permitted on yellow lines for 3 hours but never in loading bays during the period of operation. Normal Blue Badge regulations will apply.

Business permits

The availability of business permits will depend upon the availability of off street parking. Normally businesses would be eligible to apply for a maximum of two business permits.

Medical and Carers' permits

Carers Permits will be available to Medical Practices where staff require to visit patients living within the Residents Parking Zones. These will be arranged with the Primary Care Trust/health practice. There will be no charge for Carers Permits issued to Medical Practices, but the number issued to each practice will be limited and operate on a 'pool' basis.

Request Prioritisation

A prioritisation system will be introduced to determine the priority for residents parking schemes in the county. A survey method which aims to help determine the extent of parking problems and the demand for residents parking will be adopted. Surveys will be undertaken on typical days in order to assess the usage of on and off street parking places.

The system will produce a priority list to assist Members in the decision making process of where resources could be allocated.

Appendix 5

Parking Enforcement Policy

1.1. Introduction

The Oxfordshire Councils Parking Enforcement Policy is a policy statement, designed to help to manage parking by providing a clear framework for effective parking management activities throughout Oxfordshire.

On street parking enforcement throughout the District Councils' areas is the responsibility primarily of the County Council and is delegated to the District Councils under the terms of Agency Agreements.. To achieve effective implementation of our policy, the powers for enforcement include the responsibility for both on-street and off-street areas.

The policy is based upon prioritising clearly identified needs, such as the needs of people with disabilities, residents, visitors and businesses and will help to manage parking in Oxfordshire on a fair and consistent basis.

The policy helps support a better and safer environment and will generally improve parking conditions in Oxfordshire by:

- meeting the needs of all road users;
- supporting effective parking management;
- seeking to improve sustainable access;
- meeting environmental objectives;
- focussing on customer needs;
- being comprehensive, including consideration of on- and off-street parking enforcement regimes, on-street controls and parking standards;
- co-ordinating and being compatible with neighbouring civil authorities;
- providing a clear strategy for effective enforcement; and
- ensuring that the needs of disabled people, motorcycles, buses, coaches, business and freight are taken into account, along with loading and signing issues in relation to parking.

The policy aims to support the Council's wider objectives, e.g.

- to improve traffic management,
- to assist public transport,
- to assist the passage of emergency vehicles,
- to improve road safety,
- to enhance the general street scene, and
- to improve air quality.

The policy seeks to meet the needs of all road users and to clearly prioritise different parking enforcement needs in Oxfordshire. The aim is to manage parking in Oxfordshire on a fair and consistent basis.

1.2. Parking Management

Parking management includes the enforcement of on- and off-street parking regulations.

Illegal parking is inconsiderate, and it can be dangerous. Under civil enforcement, the Councils are directly responsible for all parking enforcement in Oxfordshire, with the exception of high speed roads where the police remain responsible.

The policy supports effective parking management by:

- Coordinating on- and off-street parking enforcement management to ensure a comprehensive and complementary approach;
- Allocating parking permits/waivers with clear conditions of use based on transparent and consistent principles, which give priority in accordance with the defined hierarchy of parking enforcement; and
- Maximising the potential of the Councils' information technology system to support an effective and efficient parking management operation.

The aim of civil enforcement is to maximise compliance with regulations, to make our streets safer for all road users, particularly vulnerable road users; to prevent obstruction and delays (especially for buses and emergency vehicles); to ensure that parking bays are available for their intended use and to improve the general street scene.

The objectives of civil enforcement can be summarised as:

- Making it safer for drivers and pedestrians with better enforcement leading to clearer roads and pavements;
- Reducing accidents through fewer illegally parked cars
- Improving traffic flow and accessibility, resulting from the focus of enforcement being on lessening inconsiderate and dangerous illegal parking in order to improve safety and minimise congestion;
- Assisting emergency and service vehicles
- Helping public transport such as buses;
- Improving the general environment
- Encouraging the use of other modes of transport such as walking and cycling;

Sensible and safe parking within Oxfordshire will be encouraged, as will greater compliance with the Off-street Regulations and Traffic Regulations as regards parking. These regulations will not change as a consequence of the introduction of CPE, but they will have greater significance.

Parking provision is becoming more responsive to the public's needs because local Councils will control both the provision and management of parking. A single

responsibility for parking means greater clarity to the public. The County Council's integrated transport strategy can be linked to local issues in enforcement.

Police resources must be able to concentrate on other priorities. The basis for this is a fair, consistent, transparent, policy-driven and quality-led operational enforcement. Enforcement will be targeted to tackle problem areas. The policy specification provides a schedule and prescribes the frequency of patrol visits, dependent upon the location type. This will ensure a good parking enforcement regime that is both consistent and transparent.

The policy focuses on customer needs by:

- Ensuring an efficient, robust and customer-friendly parking system.
- Effective tackling of parking fraud, and abuse of the Blue Badge Scheme.
- Ensuring an effective, fair and consistent enforcement operation to maximise compliance with Oxfordshire's parking regulations.
- Consulting and communicating with both internal and external stakeholders to inform parking management issues.

1.3. Enforcement Priorities

As competing parking demands intensify and conflict, the need for skilled and effective on-street parking management based on clearly defined priorities increases. The parking enforcement priorities shall be generally guided by the following issues:

- Highway Safety
- Preventing dangers due to parking:
 - Near Accident locations such as junctions
 - Near Pedestrian Crossings
- Dangerous or double parking
- Parking on Pedestrian Footways
- Parking which restricts movement
- Preventing obstruction and congestion on:
 - Main access roads into Oxfordshire (Principal Roads)
 - Town Centre shopping streets
 - Public Transport routes
 - Main traffic routes within Oxfordshire
 - Other busy streets e.g. access roads to residential areas or local shopping parades
- Obstruction & Nuisance
- Preventing hindrance to road users at:
 - Bus stops
 - Vehicle accesses
 - Pedestrian access routes
 - Taxi Ranks
 - Grass verges
 - Special entertainment events
 - Areas for deliveries & servicing

- Control and enable the conveyance of goods at:
 - Servicing yards
 - Permitted loading areas
 - Parking Bays
- Control of effective use of permitted parking areas in:
 - County Council Park and Ride Car Parks
 - District Council Car Parks
 - Disabled Badge Holder Bays
 - On-street Pay & Display bays;
 - Residents parking bays;
 - Limited waiting areas.

The parking enforcement priorities are set out in greater detail in Appendix B. Other enforcement requirements that follow will be balanced and prioritised on an as required basis depending upon resources available:

- the needs of disabled people and effective enforcement of parking regulations to enable easy access to activities and facilities.
- road safety initiatives (especially for pedestrians, cyclists and other vulnerable road users), and emergency access requirements.
- managing local parking problem areas, e.g. for child safety near schools caused by the school run (including Safer Routes to School initiatives) and associated short-stay on-street parking activity.
- legitimate parking and loading requirements of businesses, taking into account commercial needs for delivery and servicing movements and the opportunity for changing delivery schedules and vehicle sizes.
- supporting the safe and efficient operation of the public transport network in Oxfordshire
- enforcement against observed parking patterns of demand to allow targeting of known problem areas.

Inconsiderate parking contravenes the Highway Code, which requires drivers to show consideration for all road users. Certain parking contraventions remain the responsibility of the Police (obstruction and restriction of access where there are no yellow lines), some are joint responsibilities with the Police (zig-zag pedestrian crossings) and the Councils will work in partnership with Thames Valley Police in order to communicate relevant information between both stakeholders.

In parts of Oxfordshire, footway parking currently takes place. In these areas, parked vehicles dominate the street scene and can cause dangerous obstruction to other road users, such as parents with pushchairs and visually/mobility impaired people and wheelchair users. Footway parking also results in higher maintenance costs for the County Council because footways are not designed to take the weight of motor vehicles and, as such, damage to the pavement can occur. The Councils will seek to minimise inappropriate footway parking in Oxfordshire (where enforceable) to ensure that local pedestrian access and amenity is not adversely affected.

Abandoned vehicles are an environmental nuisance and can be associated with anti-social behaviour. Abandoned vehicles not only cause an unnecessary hazard wherever they are dumped, they also have a serious impact on residents' quality of life and fear of crime in the local area; Civil Enforcement Officers will report potential abandoned and untaxed vehicles on Oxfordshire 's streets.

The Councils' enforcement operations will target persistent evaders in Oxfordshire and reduce the level of evasion.

Residents' Parking permits are issued by the Councils' Parking Services for the use of designated parking places in resident parking zones.

The County Councils Social Services Department administers parking permits for disabled people under the Blue Badge Scheme, which allows disabled badge holders considerable flexibility in where they can park on street. Badge holders can park free of charge without time limit in many areas, provided a valid Blue Badge is displayed, the bay has not been suspended and the vehicle is being used to transport the Blue Badge holder. Blue Badge holders are also allowed to park for a maximum of 3 hours on single and double yellow lines, except where there is a loading ban or where a bus or cycle lane is in operation where it is safe to do so.

Appendix A – Glossary

CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
DPE	Decriminalised Parking Enforcement
POLICY	Oxfordshire Councils' Parking Enforcement Policy
TMA04	Traffic Management Act 2004

Appendix B – Hierarchy of Parking Enforcement

Highway Safety			
Preventing dangers due to parking:	Near Accident locations such as junctions.	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	PRIORITY HIGH	Mainly preventing danger to pedestrians at crossing places. (This includes the offence of stopping on white zigzag markings, which now also remains a police enforcement function – i.e. dual enforcement).
	On Pedestrian Footways	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users.
Aid to Movement			
Preventing obstruction and congestion on:	Main access roads into Oxfordshire (Principal Roads).	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by parked vehicles.
	Town Centre shopping streets	PRIORITY HIGH	Mainly enforcement of double yellow line restrictions and loading restrictions to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.
	Public Transport routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.

	Main traffic routes within Oxfordshire (Non-principal Roads)	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
	Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
Obstruction & Nuisance			
Preventing hindrance to road users at:	Bus stops	PRIORITY HIGH	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.
	Vehicle accesses	PRIORITY HIGH	Mainly prevention of obstruction to private driveways that have yellow line restrictions. This is particularly important where residents are in the process of trying to enter or exit their premises. Dealing with obstruction of driveways without yellow line restrictions will still be a police function (obstruction).
	Pedestrian access routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
	Taxi Ranks	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
	Grass verges	PRIORITY LOW	Mainly enforcement of clearway restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.

Deliveries & Servicing			
Control and enable the conveyance of goods at:	Servicing yards	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to service yards.
	Permitted loading areas	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.
Parking Bays			
Control effective use of permitted parking areas in:	Council Car parks	PRIORITY MEDIUM	Issue PCN for infringement of car park Orders
	On-street Pay & Display	PRIORITY MEDIUM	Issue PCN for infringement of on street parking Orders
	Disabled Badge Holder Bays	PRIORITY MEDIUM	Enforce infringement of on street disabled only parking places where there is time a restriction and where vehicle is not displaying a blue Disabled Driver Badge
	Residents parking	PRIORITY MEDIUM	Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.
	Limited waiting	PRIORITY LOW	Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.

Hours of Operation and Enforcement Staff Numbers are given in the Councils' Parking Operational Plans.

Appendix 6

Civil Enforcement Officers Discretion Policy

1.1. Introduction

The TMA Statutory Guidance issued by the DfT states:

“The Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against PCNs and representations against NtOs. This is to protect CEOs from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations.

However, the enforcement authority may wish to set out certain situations when a CEO should not issue a PCN. For example, an enforcement authority may wish to consider issuing a verbal warning rather than a PCN to a driver who has committed a minor contravention and is still with, or returns to, the vehicle before a PCN has been served. The enforcement authority should have clear policies, instructions and training for CEOs on how to exercise such authority. These policies should form the basis for staff training and should be published.

Enforcement authorities should ensure that CEOs are properly trained to enforce parking controls fairly, accurately and consistently. As well as formal training, it is recommended that authorities include some supervised on-street training to familiarise CEOs with the area and any special parking provisions. Enforcement authorities should make sure that CEOs understand all relevant exemptions, such as those applying to diplomatic vehicles and the Blue Badges issued to disabled people. CEOs should be aware of their powers to inspect Blue Badges and the sensitivity required should they need to exercise them.”

1.2. The Councils’ Intentions

The Councils’ intention is that they will operate the civil enforcement parking operation as a partnership with the residents, businesses and visitors. This has the dual aims of providing a better service and of developing a flow of information for the public.

It will also concentrate on learning from the bottom up, by ensuring that local activity and feedback will be continually reflected in the parking restrictions and the quality and services within the car parks.

The key channel of continual feedback will be from the Civil Enforcement Officers (CEOs) and the parking related correspondence from the public.

This requires that the Councils have a policy of the exercise of discretion by the CEOs and not a culture of just issuing tickets. The statutory guidance states “The

Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against PCNs and representations against NtOs. This is to protect CEOs from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations”.

The Councils will approach the exercise of discretion objectively and publish policies on the exercise of discretion. This document is the key one relating to the exercise of discretion by staff when operating on-site. Another section within the overall policies concerns the exercise of discretion *after* a penalty charge notice has been issued, and should be read in conjunction with the content of this document.

1.3. The CEO and their role

The Councils have established criteria for the use of traffic management controls which are represented on the ground by signs and lines made through the mechanism of traffic regulation orders (TROs). It is important for all of the public that these are enforced; that will reduce accidents, improve traffic flow, help residents and create better facilities for both shoppers and business. Similar situations exist in the off street car parks.

The role of the CEO is defined by the Councils and they will all attend recognised training courses. It is important that there is a public understanding that they are not there to “just issue tickets”, but are trying to ensure consistent compliance in respect of the parking controls. They have no targets, and in fact the ideal solution would be total compliance with the parking regulations and no parking tickets being issued.

1.4. What is it that they cannot do?

The CEOs cannot comment on

- the parking regulations on street
- the off street regulations in the car parks
- whether other motorists have found the signing difficult to understand
- whether a penalty charge notice which has been issued, may be cancelled
- the Councils’ declared policies

1.5. What can the CEOs do?

- listen to the motorist
- write down their concerns
- take a name and address for correspondence to answer the questions
- point out that the restrictions are now enforced whereas in the past in on street areas, they were only lightly enforced
- use their common sense in deciding on a course of action

Most importantly, the key elements of the operation are observation and the relevance of current parking restrictions. Many of the current controls were introduced a long time ago, and the Councils' policy will be one of continual change to meet local needs. CPE may highlight areas where the existing TROs no longer reflect the needs of the area.

What that means for example, is that there may now be a requirement for limited waiting parking spaces to help local shops that have been developed and have outside, a no waiting restriction all day. It will also involve identifying unnecessary waiting restrictions which could be limited to fewer days or specific days depending on the local activity and culture.

The Councils' policy on changing the TROs is set out elsewhere in the Parking Policy, but it has to be recognised that such changes are costly, required detailed public consultation, and have to follow a defined legal process

1.6. What do we mean by the exercise of discretion?

The Councils, having agreed that CEO's should be alert to local situations and environment, and should not be over zealous in ticket issuing, have developed evidential and observational criteria and special considerations in respect of penalty charge notice issue.

It is important to identify that there are certain contraventions of regulations that will not be tolerated, except under exceptional circumstances; for example, we will always enforce against dangerous or particularly selfish acts such as:

- parking in a bus stand
- parking in bays for Blue Badge holders with no badge displayed
- parking on pedestrian crossings, school crossings, zig-zags and similar inconsiderate parking – unless the vehicle is awaiting recovery following a breakdown or road traffic accident.

The policy on discretion follows on from the above. The list below is not exhaustive but indicative, and relies on the individual CEO to exercise his or her discretion in particular circumstances. Should a penalty charge notice still be issued in a particular circumstance, the parking office staff will provide a detailed explanation of why it was issued, as well as options for paying the charge, or appealing against it.

The CEO will always be wearing a uniform that promotes his or her visibility. This will normally include high visibility outer garments and a hat, so that they are seen to be in the vicinity, and operating overtly.

They will be alert to a range of issues to assist the exercise of their discretion relating to the issue of penalty charge notices. The following list is not exhaustive but demonstrates what the Council have agreed as base lines, and from this the CEO will make their decision about the possible issue of a PCN. It should be noted that

they will always be gathering evidence of a possible contravention, including the taking of digital photos (but only vehicles and location) as well as notes in their pocket book. This is to demonstrate fairness and equality to their managers and not any bias or favouritism which may lead to suspicion of bribery.

They will be aware of:

- an adult struggling with shopping
- difficulty being experienced with a number of children
- a person with a disability or a passenger with a disability
- religious festivals and prayer days where the TRO is not appropriate
- parking outside a shop with flats above, and loading or unloading to a dwelling
- marginal time overruns at limited waiting
- marginal time lapse in obtaining a pay and display ticket
- non functional pay and display equipment
- breakdowns waiting for assistance
- changing use of properties that are not recognised in parking controls

This CEO discretion policy is based on these basic rules:

- The CEOs will show a duty of care to the public overall when carrying out enforcement,
- They will enforce in a sensible manner,
- They will recognise that they are operating within a democratic process,
- They will recognise that they are allowed to show discretion,
- They will report matters back to officers so that considered decisions from information gathered on the ground can be taken.

Appendix 7**Policy for the use of Bailiffs****1.1. Policy on the use of Bailiffs for Road Traffic Debt**

The Councils will manage PCN debt recovery through an arrangement with one or more firms of bailiffs for the recovery of debt. The arrangement will be reviewed regularly, and market tested at least every 5 years.

Before registering any debt, the Councils will issue a “pre-debt” letter to the keeper of the vehicle advising that the debt will be registered in 21 days unless the debt is settled. Each case proceeding to this stage will have been vetted by a member of the Councils’ staff to approve its issue to bailiff in accordance with Council rules and procedures.

Each bailiff arrangement will be based on a strict Code of Practice, agreed between the District Council and the bailiff.

When the Council wishes to instruct a bailiff it will register the debt electronically with the Traffic Enforcement Centre (TEC) at Northampton County Court. TEC automatically authorises the Council, and seven days later the Council may issue to the bailiff a warrant of execution, again electronically. The Council will notify the debtor of the registration.

The recovery procedure will adhere to a strict timetable and will consist of the following stages:

- First Letter
- First Visit
- Second Visit
- Outbound Calling
- Enforcement/Clamp Visit
- Removal Visits

Bailiff arrangements with the Councils will be supported by a code of conduct, which as a minimum will include the following.

1.2. Procedure for recovery at the door

When a Council issues a warrant to a bailiff and registers it through TEC, the bailiff will write a letter notifying the debtor of the warrant and seeking payment, for which the bailiff is entitled to charge an agreed sum. The letter should generally be seeking recovery of the PCN debt (plus VAT) for a parking PCN made up of the amount the Council seeks plus £5 for the warrant paid by the council + the agreed charge for the bailiff’s letter + VAT.

When a bailiff visits a debtor:-

- Enforcement agents must always produce relevant identification on request, such as a badge or ID card, together with a written authorisation to act on behalf of the Council.
- Enforcement agents must act within the law at all times, including all defined legislation and observe all health and safety requirements in carrying out enforcement. They must maintain strict client confidentiality and comply with Data Protection legislation and, where appropriate the Freedom of Information Act.
- Enforcement agents, for the purpose of distress or execution shall, without the use of unlawful force, gain access to the goods. The enforcement agent will produce an inventory of the goods seized and leave it with the debtor, or at the premises, with any other documents that are required by regulations or statute.
- Enforcement agents must carry out their duties in a professional, calm and dignified manner. They must dress appropriately and act with discretion and fairness.
- Enforcement agents must not misrepresent their powers, qualifications, capacities, experience or abilities.
- Enforcement agents must not discriminate unfairly on any grounds including those of age, disability, ethnicity, gender, race, religion or sexual orientation.
- In circumstances where the enforcement agency requires it, and always where there have been previous acts of, or threats of violence by a debtor, a risk assessment should be undertaken prior to the enforcement agent attending a debtor's premises.

If the bailiff is refused entry to the premises, the bailiff will advise the debtor of the details of the debt and seek payment; the bailiff will also advise the debtor that permission will be sought to gain entry unless the debt is settled. Bailiffs do not have the power to make forcible entry to a debtor's premises, but if a bailiff has gained lawful and peaceful entry (e.g. invited in by the occupier) he has the right to use reasonable force to (a) inspect any part of the premises if refused access, and/or (b) resist being ousted from the premises. In order to gain entry otherwise, a bailiff has to apply to a court for a warrant to force entry.

1.3. Service provisions

The bailiff company must keep detailed records of all activities undertaken on behalf of a Council and this record should be electronic and available to be inspected on-line by the Council at any time. All records will be kept up to date with any relevant changes, within 24 hours of the change occurring.

If the Council decides it is appropriate and prior to any enforcement action being undertaken, the bailiff will subject each case to a DVLA verification of details of vehicle ownership.

Recovery visits will not occur outside the hours of 07.00 to 20.00, and will not take place on Sundays, Bank Holidays, Good Friday or Christmas Day. Enforcement Agents will also observe the sanctity of religious days of other faiths, where appropriate.

There will be an agreed list of the types of goods which bailiffs may not seize.

The Council will specify personal circumstances of a debtor when reference back to the Council will be made prior to further action.

The bailiff will provide a telephone service during normal office hours to deal with enquiries and payments from debtors.

The bailiff will accept payments in cash, credit or debit card, postal orders, giro bank, bankers draft and by internet payment, and will always issue receipts.

Appendix 8

1.1. Consultation and Reporting Policy

The Councils recognise their responsibility to monitor their parking policies, the Civil Parking Enforcement (CPE) regime being put into place, and the associated regulatory framework (including penalty charge levels). The regime will be appraised when reviewing the Local Transport Plan (LTP) and recommendations for improvements made to Members.

Appraisals will take account of any relevant information that has been collected as part of the parking enforcement process, in particular about the practical effectiveness of the scheme. This information will include feedback from interviews with Civil Enforcement Officers (CEOs), who are in a unique position to identify changes to parking patterns, and with back office staff, who deal with challenges and representations and the reasons for them.

The Councils will consult locally on the parking policies when they are appraised and will seek the views of people and businesses with a range of different parking needs as well as taking into account the views of the police.

The regular appraisal will take account of:

- existing and predicted levels of demand for parking;
- the availability and pricing of on- and off-street parking places;
- the justification for, and accuracy of, existing traffic orders;
- the adequacy, accuracy and quality of traffic signing and road markings which restrict or permit parking;
- the level of enforcement necessary to achieve the Council's wishes for compliance;
- the levels of penalty charges;
- the need to resource the operation effectively and ensure that all parking staff are appropriately trained; and
- impact on traffic flow.

As a part of this appraisal, the Councils will ensure that detailed operational policies remain appropriate and will tell the public about any changes to them.

The Councils recognise that the efficiency and effectiveness of the CPE regime can be improved by maintaining a regular dialogue with the police, neighbouring authorities, the Driver and Vehicle Licensing Agency (DVLA), the Traffic Enforcement Centre (TEC) and representatives of road user groups.

In particular, the Councils will seek to maintain good relations with the police. The police will continue to have responsibility for enforcing endorsable and most types of moving traffic offences, and for taking action against vehicles where security or other traffic policing issues are involved. Regular liaison with the police will help to ensure

that civil and criminal enforcement operate effectively, as well as ensuring that the Councils' staff are protected.

As enforcement authorities, the Councils will keep abreast of developments in neighbouring authorities' CPE operations and look into the benefits of consistent, and possibly collaborative, approaches to enforcement.

The Councils will develop good working relations with the DVLA, in particular with regards receiving keeper information promptly and will consider helping the DVLA track down Vehicle Excise Duty (VED) evaders by notifying them of any vehicles that are not displaying a valid VED disc.

As far as possible, the performance of the CPE parking operations will be judged according to how far the desired transport objectives have been achieved. The Councils will base their performance measures, wherever possible, on outcomes rather than outputs. Performance will not be based on the number of PCNs, or such issues. Outcome statistics will include issues such as compliance statistics, the number of appeals, the number and length of contraventions and the localised impact they appear to have had on road safety and congestion.

The Councils consider that reporting is an important part of accountability. The transparency given by reporting will help the public to understand and accept better parking enforcement. Monitoring also provides us with management information for performance evaluation and helps to identify where there is a need to improve the CPE regime. Reports will include the benefits that parking income has helped to pay for.

The Councils will produce annual reports about their enforcement activities. The reports will be public documents, and as a minimum, they will cover the financial, statistical and other data set out in this policy statement. The reports will form the basis of annual returns to the Government about the enforcement operation. The Traffic Penalty Tribunal will be provided with the details about PCNs they request.

The Councils have published a code of practice that their CEOs must follow. It includes the following points:

- the authorities are committed to delivering good quality public services;
- the code of practice is to ensure that high quality parking enforcement is delivered fairly and in accordance with the law;
- parking restrictions are there for good reasons – to improve safety, prevent congestion, ensure a fair distribution of parking spaces, and help reduce pollution; and
- parking restrictions will be enforced efficiently, fairly and with proper regard to the needs of motorists in general.

Parking enforcement performance will be monitored to show that it is for traffic management purposes. Management information such as will be included:

- measuring the numbers of vehicles that contravene restrictions and for how long they are contravened;
- measuring public transport journey times across the CEA;
- measuring the number and severity of road traffic casualties in the area of enforcement;
- measuring congestion in the area of enforcement;
- frequency of CEO patrols, especially where contraventions are high;
- percentage of PCNs against which appeals are received;
- percentage of successful appeals;

The Councils will assess performance against these targets in their annual reports which will be published on websites as a downloadable document. Where possible, comparisons to similar authorities will be made.

1.2. Consultation

The Councils are required, when considering major changes to their parking policies, to consult with stakeholders. As a minimum, the following groups will be consulted:

- those involved in the implementation and operation of parking, including the police, neighbouring local authorities, the DVLA and the Traffic Enforcement Centre;
- wider stakeholders with an interest in parking, including businesses, motoring groups and representative organisations; and
- those who will be affected, including residents, motorists and the general public. Socially excluded groups will always be included in such consultations.

In due course, the Councils consider setting up user groups for wider stakeholders such as businesses, representative organisations and the public. These will comprise representatives of motoring organisations, local residents and traders, socially excluded groups and others with an interest in parking policies. Groups will be used to test proposals to ensure they meet the needs of road users.

Loading and unloading can be a recurrent and difficult problem. The Councils will work with delivery companies, local businesses and residents to tackle problems at sites where problems exist.

Consultation documents will be publicised and made available in hard copy and on the web. Deadlines for feedback will be set in accordance with the Councils' policies on consultative exercises. After consultations have closed, any action taken in response to the feedback will be publicised.

Appendix 9

Footway Crossing and Double Parking Policy

The County Council has considered the implementation of the powers introduced by the TMA for the control of parking that obstructs footway crossings and for double parking but has determined not to adopt these powers until more detailed advice and guidance is available.

Appendix 10

Footway and Verge Parking Policy

1.1. Introduction

The Councils believe that streets should be more than traffic corridors - they are important for the vibrancy, economic health, and safety of neighbourhoods; they can help to improve community cohesion by bringing people of different ages and backgrounds together in a shared space; they are areas which people can use to get fit through walking and cycling; and they are potential playgrounds for all children but especially those who do not live close to parks and playing fields.

There is a general concern that vehicles parked on the footway are a problem in numerous parts of the County. Footway parking takes many different guises and causes conflict between highway users, residents and pedestrians. Vehicles parked on the footway can cause serious obstructions which in turn create a road safety issue. Vehicles can also cause serious damage to the footway which may result in trip hazards and also unsightly damage to footpaths and verges.

Footway parking can be obtrusive, obstructive and destructive in any area it occurs. However it can also relieve the pressure on the surrounding highway network and provide a clearer passage for users of the highway. For these reasons it is important that a local balance is achieved when determining the allowable level of footway parking in any area and in some cases, street by street.

1.2. Enforcement

Within the powers contained in CPE it is possible for a local traffic authority to introduce footway parking policies and to adopt enforcement policies to suit the local needs. The highway authority has the power to decide when and where to enforce footway parking but currently only where waiting restrictions are in place.

Therefore to control footway parking using CPE, there must be a waiting restriction adjacent to the footway and the vehicle must be parked on designated highway. It is usually, but not always, the case that back of footway is the extent of the highway and the restriction covers from the highway boundary to centre line of road. This allows full enforcement of the verge/footway where restrictions are in force at the time of the contravention. For example a single yellow line 8am to 6pm would not be enforceable in the evenings under CPE.

Where footway parking is not controlled by restrictions and is causing damage to the highway verge then the local authority could take measures to prevent parking. This can be by the introduction of physical barriers or by new Traffic Regulation Orders such as no waiting at any time.

1.3. Policy

Most grass verges adjacent to roads form part of the public highway and therefore come under the responsibility of The County Council as local highway authority and local traffic authority. One of the responsibilities of the traffic authority is to keep verges and footways safe and unobstructed, particularly at road junctions where clear visibility for road users is important. The County Council as highway authority is responsible for maintenance of the entire highway and that includes verges and footways. It is also under a duty to assert and protect the rights of the public for use and enjoyment of the highway and under RTA 1988 Section 39 the County Council must prepare and carry out a programme of measures designed to promote road safety.

Local issues will always need to be taken into consideration by highways officers when recommending whether footway parking is acceptable or not in specific locations' these may include where soft verges contain public utility apparatus and where damage could be caused.

Parking of cars partly or completely on the footway can be authorised by Traffic Regulation Order. There is a need to ensure that adequate width of footway is retained for pedestrians, particularly those in wheelchairs or with perambulators. Unless sufficient space can be retain for the safe passage of pedestrians footway parking will not be authorised.

Appendix 11

Bus Lane Enforcement Policy

To be added when Statutory Guidance is published and civil enforcement enabled under the TMA 2004

Appendix 12

Waiver and Dispensation policy

1.1. Suspensions, dispensations and waivers

The Councils, in certain defined circumstances, will allow a vehicle or vehicles, by the issue of a dispensation, to park lawfully in what otherwise would be a contravention of a TRO. It may issue dispensations to businesses and/or the Council's Parking Services to permit parking at specified locations for specified durations.

Where agreed by Parking Services, and in accordance with the Councils' policies, parking places may be suspended either in total or for the purpose of reserving those places for particular vehicles and/or applicants. Suspension can only be undertaken in accordance with provisions in the order (except by the police using powers under Section 49(4)A RTRA).

All applications for dispensations, suspensions, permits and season tickets in Council areas where these are available will, in the first place, be referred to the Council's Parking Services. Parking Services will seek immediate advice from senior management if they have any doubts in regard to an application.

A charge will be made for applications for suspensions, dispensations and waivers.

1.2. Definitions

A suspension is defined as "a parking bay that has had the traffic regulation order suspended for an agreed time period." For example a "*pay and display*" or disabled bay.

A dispensation refers to a driver been given dispensation to park at a specific location on a length of road where there is a traffic regulation order - for example, a waiting restriction.

Parking Services will be required to issue permits for suspensions and dispensations. The applicant will be required to complete and submit forms for each request, which will then be passed to Parking Services together with the appropriate fee for processing.

Parking Services will ensure that each Civil Enforcement Officer is notified daily of dispensations and suspensions within their patrol areas. The Civil Enforcement Officer will check each location and enforce contraventions seen.

Dispensations will not be agreed where there is possible danger to pedestrian or highway safety. Instances where dispensations will not be agreed are

- On bends
- On brow of hills
- On clearways or fast flowing roads
- Adjacent to pedestrian crossing points
- Adjacent to school entrances
- Where pedestrian or driver sight line visibility is impaired.
- Parking Services will be responsible for the following:
- Prior to the commencement of the suspension Parking Services will erect suitable advanced warning plates on each available post or column within the restricted area to provide notice of suspensions or dispensations.
- Prior to the commencement of the suspension Parking Services will, where appropriate, cone or barrier off the area concerned.
- Ensuring that the advanced warning plate is in place throughout the period.
- Removal of advanced warning plate, cones and or barriers at the end of the period of suspension.

Each request for a suspension and dispensation will be noted and logged by Parking Services.

1.3. Dispensations

A dispensation authorises a vehicle (or vehicles) to park in contravention of a TRO. It allows parking where alternative arrangements cannot be made for the following principal reasons:

- Loading/ unloading where this activity is either normally prohibited or the permitted period is insufficient; or
- Situations where alternative arrangements would be unsatisfactory.

A dispensation does not permit general 'parking'. It does not allow the vehicle to remain in the restricted/ prohibited area once the dispensation purpose has been fulfilled. At that time the motorist is required to park elsewhere and lawfully.

Based on the above qualification and subject to the Councils' policy, dispensations can be issued in the following circumstances:

- Furniture removals where loading or unloading would not otherwise be permitted;
- Building/ maintenance/ repair works where close proximity to the site is essential;
- Goods deliveries in respect of which it is reasonable to allow longer than that normally permitted by the regulations;
- Vehicles essential to filming operations;
- Other circumstances in which Parking Services may reasonably regard the requirement to be essential.

Dispensations will not be issued for:

- Applications where parking may adversely affect disabled/ doctors/ business bays, taxi ranks, bus stops or tram movement;
- Applications where loading restrictions are in place if the dispensation is requested during the restricted period(s);
- Locations within 50 metres of a signal controlled junction, the entry/ exit pedestrian crossing marking, on a footway and/or other locations where parking may cause danger to pedestrians and road users, and / or serious obstruction / traffic flow impediment ;
- Requests where there are doubts concerning the validity of the application;
- Applications in respect of vehicles where dispensations have been issued more than twice within the four weeks before the date of the application. The Parking Section has discretion to vary this ban if it is considered that it is otherwise reasonable to approve the application.

Applications may be made by post, e-mail, telephone or in person but are to be in writing using the appropriate form. Faxed application forms are acceptable. Applications should be received at least 2 working days before the required date to enable Parking Services to inspect the site if felt necessary before approval is given. However, Parking Services has discretion to deal with more urgent applications if it is reasonable to do so.

Except in extenuating circumstances dispensations should not be issued for continuous periods in excess of five days and should not authorise parking for more than two vehicles at any one location unless Parking Services is satisfied that the road width and length and precise location permit this safely.

Dispensations are uniquely numbered and are issued from the Councils' IT systems. A copy is given to the applicant, a second copy to the PA Supervisor, and a third is filed with the application.

The conditions of use, which are stated on the back of the dispensation, must be brought to the applicant's attention, who must also be advised to display the document clearly on the lower near side of the vehicle's windscreen.

A charge may be made to cover the administration and operational costs of suspending a parking bay.

1.4. Suspensions

It will be necessary from time to time to suspend parking places including residents' and other permit bays.

The action is taken when it is considered necessary to suspend the parking places for

- traffic movement and safety;

- essential building/ maintenance works;
- furniture removals;
- filming;
- special events;
- weddings or funerals.
- The suspension may be in concert with the reservation of the place(s) in connection with the activities listed above.

The suspension procedure embraces:

- Receiving notice of the requirement;
- Considering and, if appropriate, investigating the need for the suspension;
- Approving or rejecting the application;
- Obtaining payment if applicable;
- Recording the suspension;
- Warning local residents;
- Implementing the suspension on street;
- Removing the suspension equipment on street on completion.

The suspension does not permanently remove the legal status of the parking place. Its only affect is to remove it (or the designated part of it) from use during the suspension period.

Public suspension applications must be received no later than 10 working days before the required date in respect of resident and other permit places including disabled badge holders places.

Emergencies may embrace action taken by the police to suspend parking places immediately and without notice for matters of security and public safety. A contravention of a police suspension would normally be dealt with by the police as a criminal matter. Section 49(4)A RTRA provides that the police may suspend the use of a parking place for up to seven days in order to prevent or mitigate congestion or obstruction of traffic or danger to or from traffic in consequence of extraordinary circumstances.

The application must be in writing; using the appropriate application form... Each application will be given a unique identification number and Parking Services will consider applications on their merits. This may require the location to be visited.

It will be seen that the vehicle(s) details box (i.e. 'parking' approval) section of the application requires the applicant to nominate specific vehicles. However, it will be appreciated that for building works there may be deliveries from suppliers or other services and, clearly, the applicant will not know in advance the vehicles involved. Officers accordingly have discretion to allow such activities provided they are directly connected to the works. The suspension plates must make this abundantly clear.

If the application is approved any appropriate charge must be paid before the suspension is implemented.

Each day, as applicable, Parking Services will prepare a daily suspensions plan containing:

- Details of advance warning notices to be placed;
- Details in regard to required leafleting;
- Details of suspensions to be implemented the next parking control day;
- Details of suspensions to be lifted before the next parking control day.

The list will be passed to the appropriate supervisor for on and off street action. On street procedures in regard to suspensions are contained in Section 2. This list will be incorporated into the monthly report from the District Council's Parking Services.

A suspension may be extended provided Parking Services receives at least 2 working days notice. This is clearly necessary in order that appropriate on street action may be taken to indicate the continuance and to advise normal users of what is happening. If notice is not received within time Parking Services will refuse the request and will advise the applicant to re-apply. The standard notice periods stated above will apply.

A suspension may be lifted earlier than originally requested. Notice must be received no later than one working day before the new date. Parking Services will amend the records accordingly in order that the new date appears on the appropriate day's suspension plan.

The charge per suspension is £15 per bay per day. This clearly allows, for example, the use of a furniture removal vehicle.

No charges are made in respect of:

- Requests from the emergency services in regard to emergency situations;
- Funerals;
- Charity event vehicles
- Armed forces vehicles
- Suspensions needed to accommodate traffic or parking requirements during agreed major events. However, the Council may wish to consider that charges should be made for regular suspensions [e.g. football matches] bearing in mind the ongoing cost of work carried out for these.

Please refer to policy regarding skip licenses for suspensions/dispensations made in respect of such.

Parking Services will maintain monthly statistics with regard to:

- Numbers and locations of dispensations, suspensions, season tickets and exemptions both implemented and lifted;
- Numbers and precise times and locations in regard to advance warnings and leafleting.

Parking Services will provide in their monthly report:

- Numbers of approved and refused applications sorted by area;
- Numbers of bays, meters/P & D machines suspended sorted by type and area;
- Charges made and total revenue;
- Reconciliation between revenue and numbers;
- Numbers and value of refunds;
- Total days suspended per month;
- Numbers of suspensions in force in excess of three months.

Appendix 13

Deciding on PCN challenges

**OXFORDSHIRE
CIVIL PARKING ENFORCEMENT PROCEDURES**

Oxfordshire Councils

Civil Parking Enforcement Procedures

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1. INTRODUCTION

Civil Parking Enforcement (CPE) means that the responsibility for enforcing the majority of on-street parking restrictions is the responsibility of the local traffic authority rather than the police. The project is being carried out by the Oxfordshire Councils in conjunction with Thames Valley Police. These procedures apply to all on-street parking restrictions where CPE powers have been adopted, with the exception of certain excluded roads, and to the Councils' off-street car parks where Orders apply.

This document aims to:

1. Remind people how to park carefully and considerately within the law
2. Indicate the steps involved once a Penalty Charge Notice (PCN) has been issued
3. Outline the standard parking contraventions and observation times
4. Offer guidance on the enforcement of specific parking contraventions and specific circumstances
5. Offer guidance on the cancellation of PCNs
6. Give definitions of some commonly used terms
7. Explain the commonly used abbreviations

The contents of the document are derived from:

- Legal requirements
- Current practices
- Accepted best practice
- Traffic Penalties Tribunal recommendations with regard to mitigation
- Ombudsman Advice

It is impossible to qualify every case and Civil Enforcement Officers (CEOs) will be instructed to issue PCNs to all vehicles parked in contravention of a parking regulation (unless specified in this document) following the expiry of any observation period allowed. Only authorised personnel will be allowed to cancel a Penalty Charge Notice. Cancellation may only occur after written representations against the issue of the PCN are received.

Every representation against the issue of a PCN will be considered on its individual merits against the guidelines given in this document.

This document will be subject to regular review and will reflect current best practice.

Please note that these procedures do not come into operation until powers have been granted by the Department for Transport to the County Council and delegated to District Council under the terms of Agency Agreements. Until such time on street enforcement remains the responsibility of the police.

2. HOW TO PARK

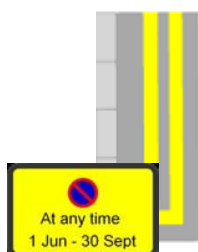
Parking incorrectly, such as on double and single yellow lines, in a bus lane, across cycle lanes or in residents' parking bays, even for a few minutes, can cause inconvenience and even danger to other road users and pedestrians.

The Oxfordshire Councils wish that by enforcing parking regulations motorists will be more inclined to park safely and legally. This will therefore reduce the inconvenience and danger placed upon safe parkers and road users every day.

Following these simple rules will help you to park in a way that doesn't cause inconvenience to other members of the public:

- Always check the lines on the road and, where applicable, the signs by the side of the road.
- Always make sure you have parked within the bay markings.
- Make sure that none of your vehicles wheels are resting on the yellow line(s).
- Do not assume that by parking behind yellow lines you are not parking in contravention of a traffic regulation order. Areas where you think you may be legally allowed to park will in fact be part of the highway and will be enforced as such.
- In pay and display car parks always make sure you read the signage.
- In car parks always make sure you purchase the appropriate pay and display ticket in accordance with the instructions on the signage.
- In car parks always make sure you clearly display your pay and display ticket.
- Do not stay longer than is permitted by the signs or by the ticket you have purchased.
- Do not block entrances to private properties – dropped kerbs.
- Do not double park.
- Do not park on footways.
- Do not park on pedestrian crossings or the white zig-zag markings near to the crossing.
- Do not park on 'School Keep Clear' markings or the yellow zig-zag markings near to schools.

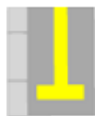
The following are some of the common restrictions you will see and a reminder of what they mean:



Double yellow lines

along the edge of the road mean no waiting at any time. However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions. There is no requirement to erect a sign for a permanent double yellow line restriction.

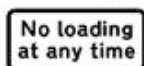
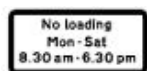
However, some double yellow line restrictions in Oxfordshire operate on a seasonal basis, meaning that they will only be enforced during the times specified on the adjoining sign. An example sign can be seen on the left.



Single Yellow Lines

along the edge of the road mean you can't wait during the times shown on the adjacent sign.

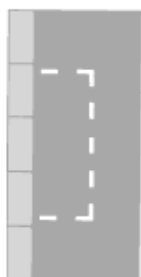
However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions.



Loading Restrictions

are shown by yellow lines on the kerb or at the edge of the carriageway. They indicate that loading or unloading is prohibited during the times shown on the signs.

Double yellow lines on the kerb mean no loading or unloading at any time.



Limited Waiting Bays

are shown by bay markings and signs that indicate the maximum amount of time that you may park in the bay.

Please take note of the 'No Return' information displayed on the sign. This means that you are not permitted to return to the limited waiting bay within the time specified. CEOs will log all vehicles parked in limited waiting bays to ensure that they do not return to the bay within the specified timescale. Vehicles returning to the bay within the specified timescale will be issued with a PCN.



Bus Lanes

You must not drive or stop in a bus lane during its period of operation. Taxis and cyclists are usually allowed to use bus lanes.



Loading Bays

are white 'bays' marked with the words 'Loading only' and a sign with the white on blue 'trolley' symbol. A sign will show the times when the bay can be used and whether loading and unloading is restricted to certain types of vehicles. Vehicles may not park here if they are not loading or unloading.

**Bus Stop Clearways**

You must not park in a bus stop clearway during its period of operation. The period of operation will be shown on the adjoining signage.

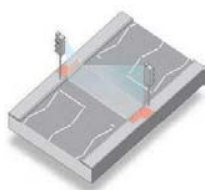
There are also Bus stands on the highway. Again, you must not park on Bus Stands during the period of operation.

**Taxi Ranks**

You must not park in a Taxi Rank during its period of operation. The period of operation will be shown on the adjoining signage.

**Parking Bays for Specific Use**

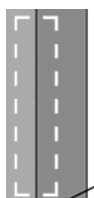
You must not park in parking spaces reserved for specific users such as Doctors, Blue badge holders or residents, unless you are entitled to do so. Signs will indicate who is allowed to park and when the restrictions are in operation.

**Pedestrian Crossing Zig-Zags**

You must not park on a pedestrian crossing or in the area covered by the zig-zag markings. These markings are installed specifically to maintain pedestrian safety.

**Parking on the Footway where permitted**

In some locations it is permitted to park partly or wholly on the footway. There will be bay markings to show how the vehicle should be parked. To ensure that pedestrians are not obstructed vehicles parked even slightly farther onto the footway than shown by the bay markings may be issued with a penalty charge notice.



Always use the current version of the Highway Code.

3. PCN RECOVERY SYSTEM FLOW CHART

The Councils will follow the guidance contained in the flow chart published by the Joint Committee of England and Wales for the civil enforcement of Parking and Traffic Regulations Outside London (PATROL).

4. OBSERVATION TIMES

In the case of contravention codes where there loading and unloading is permitted there will be an observation period before a penalty charge may be issued. This is to see if any loading or unloading is taking place and will be longer for a commercial vehicle than for a private car. However, if the CEO has evidence to suggest that no loading or unloading is taking place either by conversation with the driver or observation (such as the driver going into a betting shop, for example) an immediate penalty charge notice may be issued.

Drivers should not take this observation period as permission to park for short periods.

In pay and display areas there will be a grace period allowed between the time of expiry on the ticket and the issue of a penalty charge notice for staying beyond the time purchased. This is to allow for minor delays and discrepancies between clock and watches.

Discretion

The following list of contraventions details the level of penalty charge that will apply to each type of contravention. Following this list are details of various circumstances that may result in the issue of a penalty charge notice.

It is important to note that these are detailed for guidance only. Each individual case turns on its own facts and, when considering challenges and representations against penalty charge notices, councils may not fetter their decision making process by sticking rigidly to a cancellation policy.

<i>On-Street Contraventions</i>		
<i>Code</i>	<i>Contravention</i>	<i>Charge Level</i>
<i>01</i>	<i>Parked in a restricted street during prescribed hours.</i> <i>The contravention occurs when a vehicle waits / is parked on single or double yellow lines during the prescribed hours</i>	<i>Higher</i>

	<i>of enforcement.</i>	
02	<p><i>Parking or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked on single or double yellow lines accompanied by a no loading ban signified by yellow kerb/carriageway markings during the prescribed hours of enforcement.</i></p>	Higher
05	<p><i>Parked after the expiry of paid for time.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked for longer than the period for which payment has been made.</i></p>	Lower
06	<p><i>Parked without clearly displaying a valid pay and display ticket or voucher</i></p> <p><i>The contravention occurs if there is no clearly visible and readable valid pay and display ticket or voucher.</i></p>	Lower
07	<p><i>Parked with payment made to extend the stay beyond the initial time</i></p> <p><i>The contravention occurs when a second or subsequent payment is made to extend the parking period beyond that originally purchased.</i></p>	Lower
15	<p><i>Parked in residents' parking space or zone without clearly displaying a valid resident's parking permit.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within the confines of a residents parking bay/space without a residents parking permit being on display within the vehicle.</i></p>	Lower
16	<p><i>Parked in a permit space without displaying a valid permit.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within the confines of a permit bay/space, such as a doctors bay / space, without a valid parking permit being on display within the vehicle.</i></p>	Higher
20	<p><i>Parked in a loading gap marked by a yellow line.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked in a loading gap which is marked by a yellow line. The yellow line will run between two marked bays such as residents or doctors permit bays. The two marked bays will only have</i></p>	Higher

	<i>single white markings to signify the end of each bay. If the end of the marked bays is signified by double white markings the yellow line between the bays is classed as a restricted street and a PCN will be issued for a 01 contravention.</i>	
21	<p><i>Parked in a suspended bay/space or part of bay/space.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked in any part of a suspended bay or parking space. The suspension will be signified by suspension signage such as a placard and/or cones, post and flags. The signage will be placed within the bay / space to be suspended if at all possible. If this is not possible the signage will be placed as close as is reasonably practicable to the bays / spaces to be suspended.</i></p>	Higher
22	<p><i>Re-parked in the same parking place or zone within one hour (or other specified time) of leaving.</i></p> <p><i>The contravention occurs when a vehicle returns to the same parking space within the specified time of leaving the space. This contravention can only be enforced when signage relating to the parking space clearly states that returning within the specified time is not permitted.</i></p>	Lower
23	<p><i>Parked in a parking place or area not designated for that class of vehicle.</i></p> <p><i>The contravention occurs when a vehicle of a prohibited class is parked in a parking place or area.</i></p>	Higher
24	<p><i>Not parked correctly within the markings of the bay or space.</i></p> <p><i>The contravention occurs when one or more wheels of a vehicle are seen to be parked outside of the markings of a parking bay / space. The fact that the wheels of the vehicle are parked outside of the markings of the parking bay / space means that other parts of the vehicle will be encroaching on the available room in adjacent bays / spaces or causing an obstruction</i></p> <p><i>In some locations it is permitted to park partly or wholly on the footway. There will be bay markings to show how the vehicle should be parked. To ensure that pedestrians are not obstructed vehicles parked even slightly farther onto the footway than shown by the bay markings may be issued with a penalty charge notice.</i></p>	Lower

25	<p><i>Parked in a loading place during restricted hours without loading.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within an area / marked bay designated as a loading place without any loading/unloading activity being observed by the CEO.</i></p>	Higher
26	<p><i>Vehicle parked more than 50 cm (or other specified distance) from the kerb and not within a designated parking space.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked more than 50cm from the kerbside and not within a designated parking space. This contravention is more commonly known as double parking.</i></p>	Higher
27	<p><i>Parked adjacent to a dropped footway.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked adjacent to a dropped footway. Drivers are not permitted to park their vehicles in a manner that will obstruct a dropped footway. A dropped footway often enables easier access to premises and also enables members of the public such as parents with pushchairs or prams, and wheelchair users to cross the carriageway more easily.</i></p>	Higher
30	<p><i>Parked for longer than permitted.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within a free parking bay / space for longer than is permitted. Adjacent signage to the bay / space informs the driver of the vehicle exactly how long they may park for free.</i></p>	Lower
34	<p><i>Being in a bus lane.</i></p> <p><i>The contravention occurs when an unauthorised vehicle is in a bus lane</i></p>	n/a
40	<p><i>Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within a designated disabled person's parking bay / space without clearly displaying a valid disabled person's badge. A PCN may be issued for this contravention for the following reasons:</i></p> <p><i>No valid disabled person's badge is observed in the vehicle</i></p> <p><i>If the disabled person's badge is illegible / obscured.</i></p>	Higher

	<i>The disabled person's badge has expired. If the clock that accompanies a disabled person badge is not displayed along with the badge (where there is a limit on the amount of time that the badge holder may park).</i>	
42	<i>Parked in parking place designated for police vehicles. The contravention occurs when a vehicle waits / is parked within any part of the markings of a designated police bay.</i>	<i>Higher</i>
45	<i>Parked on a taxi rank. The contravention occurs when a vehicle waits / is parked within any part of a taxi rank. Taxi ranks are clearly distinguished by the yellow carriageway markings surrounding the rank and the word 'taxi'. Adjacent signage will state the maximum number of taxis that may wait on the rank.</i>	<i>Higher</i>
46	<i>Stopped where prohibited (on a red route or clearway). The contravention occurs when a vehicle waits / is parked on any part of a clearway. Distinguished by signage visible when entering the clearway.</i>	<i>Higher</i>
47	<i>Parked on a restricted bus stop/stand. The contravention occurs when a vehicle waits / is parked within any part of a restricted bus stop/stand. Bus stops / stands are clearly distinguished by the yellow carriageway markings surrounding the stop / stand and sometimes the words 'bus stop' or 'bus stand' within the markings. Signage adjacent to the bus stop / stand will display the prescribed hours of enforcement.</i>	<i>Higher</i>
48	<i>Stopped in a restricted area outside a school when prohibited. The contravention occurs when a vehicle stops in an area outside a school where the markings are supported by a traffic regulation order.</i>	<i>Higher</i>
49	<i>Parked wholly or partly on a cycle track or lane. The contravention occurs when a vehicle is parked obstructing a cycle track or lane.</i>	<i>Higher</i>
61	<i>A heavy commercial vehicle wholly or partly on a footway, verge or land between two carriageways. The contravention occurs when one or more wheels of a vehicle over 7.5 tonnes waits / is parked on a footway, verge or land between two carriageways. Heavy commercial</i>	<i>Higher</i>

	<i>vehicles parked on the footway can endanger members of the public by forcing them to walk in the carriageway. The weight of these vehicles also results in damage to the footway occurring.</i>	
62	<i>Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)</i> <i>The contravention occurs when a vehicle waits / is parked on an urban road with one or more wheels resting on a footway, land between two carriageways, grass verge or space.</i>	
99	<i>Stopped on a pedestrian crossing and/or crossing area marked by zig-zags.</i> <i>The contravention occurs when a vehicle waits / is parked on a pedestrian crossing and/or crossing area that is marked by zig-zag markings. Parking near to or on pedestrian crossings endangers the lives of pedestrians by obstructing their view and the view of approaching vehicles.</i>	Higher
Off-Street Contraventions <i>The following off-street contravention details are for information only. The City and District Councils operate their car parks using Parking Places Orders. Oxfordshire County Council is not involved in this part of Civil Parking Enforcement.</i>		
73	<i>Parked without payment of the parking charge.</i> <i>The contravention occurs when a vehicle waits / is parked without payment of the relevant parking charge. The parking charge will be clearly displayed on signage within the Car Park.</i>	Lower
74	<i>Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited.</i> <i>The contravention occurs when a vehicle waits / is parked in a parking place within a car park and the vehicle is being used in connection with the sale or offering or exposing for sale of goods. This contravention can only be enforced when signage relating to the parking place clearly states that using the vehicle for this purpose is not permitted.</i>	Higher
80	<i>Parked for longer than maximum period permitted.</i> <i>The contravention occurs when a vehicle waits / is parked</i>	Lower

	<i>within a free parking bay / space for longer than is permitted. Adjacent signage to the bay / space informs the driver of the vehicle exactly how long they may park for free.</i>	
81	<i>Parked in a restricted area in a car park.</i> <i>The contravention occurs when a vehicle waits / is parked in a clearly marked restricted area within a car park. There will be surface markings and adjacent signage to signify the restricted area.</i>	<i>Higher</i>
82	<i>Parked after the expiry of time paid for in a pay & display car park.</i> <i>The contravention occurs when the pay and display ticket seen inside a vehicle shows that the time paid for has expired.</i>	<i>Lower</i>
83	<i>Parked in a pay & display car park without clearly displaying a valid pay & display ticket**.</i> <i>The contravention occurs when a clearly displayed pay and display ticket cannot be seen inside a vehicle parked in a pay and display car park.</i> <i>A PCN may be issued for this contravention for the following reasons:</i> <i>No pay and display ticket can be seen inside the vehicle.</i> <i>The details on the pay and display ticket are illegible/obscured.</i> <i>The pay and display ticket on display is face down resulting in no details being visible to the CEO.</i> <i>The pay and display ticket has fallen onto the floor of the vehicle resulting in no details being visible to the CEO.</i>	<i>Lower</i>
84	<i>Parked with additional payment made to extend the stay beyond time first purchased.</i> <i>The contravention occurs when another pay and display ticket has been purchased and subsequently displayed in the vehicle resulting in the vehicle being parked in the same parking bay / space after the expiry time of the first pay and display ticket purchased. This contravention can only be enforced when signage relating to the parking bay / space clearly states that making additional payment to extend the stay beyond that initially purchased is not permitted.</i>	<i>Lower</i>
85	<i>Parked in a permit bay without clearly displaying a valid</i>	<i>Higher</i>

	<p><i>permit.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within the confines of a permit bay/space within a car park without a parking permit being on display within the vehicle.</i></p>	
86	<p><i>Parked beyond the bay markings.</i></p> <p><i>The contravention occurs when one or more wheels of a vehicle are seen to be parked outside of the markings of a parking bay / space within a car park. The fact that the wheels of the vehicle are parked outside of the markings of the parking bay / space means that other parts of the vehicle will be encroaching on the available room in adjacent bays / spaces.</i></p>	<i>Lower</i>
87	<p><i>Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within a designated disabled person's parking bay / space within a car park without clearly displaying a valid disabled person's badge. A PCN may be issued for this contravention for the following reasons:</i></p> <p><i>No valid disabled person's badge is observed in the vehicle</i> <i>If the disabled person's badge is illegible / obscured.</i> <i>The disabled person's badge has expired.</i> <i>If the clock that accompanies a disabled person badge is not displayed along with the badge (where there is a limit on the amount of time that the badge holder may park).</i></p>	<i>Higher</i>
89	<p><i>Vehicle parked exceeds maximum weight and/or height permitted in the area.</i></p> <p><i>The contravention occurs when a vehicle that is either too heavy or too high is seen to be waiting / parked within a car park. The height and weight restrictions for the car park will be clearly displayed on the entry signage to the car park.</i></p>	<i>Higher</i>
90	<p><i>Re-parked within the specified time of leaving a bay or space in a car park.</i></p> <p><i>The contravention occurs when a vehicle returns to the same parking bay / space in a car park within the specified time of leaving the parking bay / space. This contravention can only be enforced when signage relating to the parking space clearly states that returning within the specified time is not permitted.</i></p>	<i>Lower</i>

91	<p><i>Parked in an area not designated for that class of vehicle.</i></p> <p><i>The contravention occurs when a vehicle is parked in an area of a car park that is not designated for that class of vehicle. An example of this would be where a car is parked in a motorcycle bay, or a motorcycle is parked within a cycle area.</i></p>	<i>Higher</i>
92	<p><i>Parked causing an obstruction.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked within a car park in a manner that is causing obstruction to other users of the car park.</i></p>	<i>Higher</i>
93	<p><i>Parked in a car park when closed.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked in a car park outside of the car parks normal hours of operation.</i></p>	<i>Lower</i>
94	<p><i>Parked in a pay and display car park without clearly displaying two valid pay and display tickets when required.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked in a car park without two valid pay and display tickets being displayed in the vehicle. An example of this may be where a driver has to purchase two pay and display tickets at the same time - one pay and display ticket to park during the day, and a second pay and display ticket to park overnight.</i></p>	<i>Lower</i>
95	<p><i>Parked in a parking place for a purpose other than the designated purpose for the parking place.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked in a parking place within a car park for a purpose other than that designated for the parking place. An example of this may be where a parking place within a car park is designated for the purpose of charging electronic vehicles yet a vehicle is parked in the designated space selling goods.</i></p>	<i>Lower</i>
96	<p><i>Parked with engine running where prohibited.</i></p> <p><i>The contravention occurs when a vehicle waits / is parked with the engine of the vehicle running within a car park where leaving the engine running is prohibited. Signage adjacent to the parking place will signify the restriction.</i></p>	<i>Lower</i>

5. SPECIFIC PROCEDURES

It is important to note that these are detailed for guidance only. Each individual case turns on its own facts and, when considering challenges and representations against penalty charge notices, councils may not fetter their decision making process by sticking rigidly to a cancellation policy.

5.1. Abandoned Vehicles:

Where a vehicle remains parked, in a restricted area, for a period during which multiple PCNs are issued (multiple = 3) for the same contravention and the PCNs are not removed from the vehicle. The CEO will report the vehicle as potentially abandoned and it will be dealt with by the District Council's abandoned vehicle section under the provisions of Refuse Disposal (Amenity) Act 1978.

We will use the following criteria to help us identify Abandoned Vehicles:

- Untaxed or showing out of date tax disc*.
- General poor condition.
- No evidence of movement.
- Multiple PCNs attached to vehicle.

*The vehicle must be untaxed or showing an out of date tax disc to enable removal by the District Council.

Whilst the vehicle is being dealt with as potentially abandoned no further PCNs will be issued. Issued PCNs will be enforced against the registered owner of the vehicle in the normal way. The District Council and Police abandoned vehicles protocols shall apply and the CEOs and Police Officers will fulfil their agreed specified actions in respect thereof.

5.2. Bank Holidays – Restrictions Applicable:

Waiting and loading restrictions, as indicated by yellow lines / markings on the carriageway and/or kerbs may be in force throughout the year.

It is only in designated parking bays (limited waiting, loading, shared use bays, pay & display etc.), that restrictions may be lifted on Bank Holidays. Reference should be made to the relevant signs and lines on the highway and kerbside.

Motorists cannot assume that restrictions do not apply on Bank Holidays unless this is specifically stated in the relative signage. Enforcement on Bank Holidays should pay particular attention to known problem areas.

5.3. Bank Visits:

Claims from individuals or companies that because money is being taken to or from a bank PCNs should not be issued will not be accepted as a reason to cancel. If restrictions are in place adjacent to a bank these must be complied with by all motorists. Motorists should be advised to contact the bank about future security arrangements.

It is appreciated that difficulty may be experienced when visiting banks but the exemption that will apply is in relation to bullion vehicles whilst loading / unloading large quantities of coin and cash boxes.

5.4. Blocked Access:

Drivers who claim that they were unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction. The exception to this is when a driver has to collect a key to unlock a barrier that prevents access. This, however, should take no longer than 5 minutes in most circumstances.

Where access to a property is being blocked and a parking restriction is in place a PCN may be issued to the vehicle providing it is parked in contravention of the restriction. **See also "Dropped Footway"**

At present cases of obstruction should be referred to the police as a CEO will not be able to issue a PCN.

5.5. Blocked Exit from a Parking Place:

Drivers who claim that they were unable to exit a parking place because another vehicle was blocking their exit should not leave their vehicle unattended. Drivers should wait with their vehicle until such times as they can advise the CEO of their predicament.

If the driver of the vehicle is seen, the CEO will not issue a PCN but will make full notes of the vehicle in their pocket book; they may take a photograph of the vehicle's position, and also advise any other CEOs in the immediate vicinity of the situation.

If the vehicle is left unattended, the CEO will issue a PCN but will make full notes of the vehicle in their pocket book and may take a photograph of the vehicle's position.

Where a representation against the issue of a PCN is received claiming that a vehicle could not be moved due to another parked vehicle, then due consideration should be given to its cancellation. When considering this, the representation should be accompanied by any supporting evidence provided by the vehicle owner and due consideration will also be taken of the CEOs pocket book notes and any photographs.

5.6. Blue Badges – See "Disabled Drivers/Passengers"

5.7. Breakdown Organisations

Vehicles being used in conjunction with the repair or recovery of broken down vehicles will be exempt from the regulations as long as they can be seen to be actively involved in such. Vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists.

5.8. Broken Down Vehicles: (Also SEE "Vandalised Vehicles")

Claims of alleged breakdown should be accepted if they appear to be unavoidable and, if supporting evidence in the form of one or more of the following is produced:

1. Garage Receipt, on headed paper, properly completed and indicating repair of the alleged fault within a reasonable time of the contravention.
2. Till receipt for purchase of seemingly relevant spare parts purchased on or soon after the date of contravention.
3. Confirmatory letter from the RAC, AA or other similar motoring organisation.
4. Confirmation from the CEO that the vehicle was obviously broken down.

Each case should ultimately be considered upon its own merits although previous cases where breakdowns have been accepted as mitigating circumstances should also be considered.

A note left in the windscreen, stating that “the vehicle has broken down”, will not be accepted, by the CEO, as a reason for not issuing a PCN.

Listed below are some areas of contention relative to the alleged breakdown of vehicles:

1. FLAT BATTERY:

- a) The receipt for the purchase of a new battery or parts that could cause a flat battery (alternator, solenoid etc.), should be requested. The receipt should not pre-date the date of the contravention or postdate it by an unreasonable length of time.
- b) In cases where it is alleged that the vehicle was bump/jump started and no other evidence received, the PCN should be enforced. (NB. Vehicles with automatic transmission cannot be bump started).
- c) If no evidence is forthcoming, the PCN should be enforced.

Consideration should also be given as to how the vehicle became illegally parked in the first instance i.e. was it pushed from an unrestricted area or was it parked in contravention of a restriction before the breakdown occurred?

2. FLAT TYRE:

- a) It is reasonable to expect that in the event of a flat tyre the driver would be with the vehicle and making efforts to change the vehicle's wheel. If the vehicle is left unattended a PCN will be issued and will be cancelled only if it subsequently transpires that the driver was: Elderly, disabled or infirm and had gone to obtain assistance. In such instances evidence from the assisting party is required.
- b) If the wheel could not be changed because of a mechanical difficulty evidence must be produced from the attending breakdown service supporting this.
- c) Failure to carry a spare wheel is not sufficient reason to cancel a PCN.

3. OVERHEATING:

- a) All cases where it is claimed that the vehicle had overheated due to lack of water should be enforced unless it is directly attributable to a mechanical fault such as: broken fan belt, cracked radiator, burst hose, faulty water pump or thermostat. In such cases evidence of repair must be produced.
- b) Overheating caused by heavy traffic or hot weather will not be accepted as a valid excuse.

4. RUNNING OUT OF FUEL:

- a) Unless this is due to a mechanical / electrical fault evidenced by repair all PCNs are to be enforced.

5.9. Builders / Tradesmen:

1. Waiting restrictions: Parking will only be allowed whilst loading / unloading of tools or materials are taking place. At all other times the vehicle must be moved to a permitted parking area or a dispensation obtained if appropriate.
2. On-Street Residential Parking Zones: Trade vehicles can only park if they are loading/unloading, have a valid visitor's permit (only available in some zones), have a business parking permit (only available in some zones) or where limited waiting is allowed without a permit – there will be a need to check the signs to determine how long the vehicle can be parked for. If a visitor permit is not available for any reason the tradesman may apply to the appropriate Council for a dispensation.

5.10. Bus Stops:

Bus stops can either be restricted or unrestricted:

1. Restricted: A restricted bus stop will show yellow lines and a time plate showing the hours of operation.
2. Unrestricted: An unrestricted bus stop will not have a time plate but may show advisory road markings.
A bus stop restriction cannot be transferred to a temporary bus stop unless the Temporary bus stop is fully signed in accordance with the regulations. PCNs issued to any vehicle, other than buses, waiting in a restricted bus stop should be enforced.

5.11. Care Organisations:

Numerous care organisations are now operating within Oxfordshire as a result of contract arrangements with Social and Health Care and the Local Health Authority as well as privately arranged care. Each will often display badges issued by the various organisations but, due to the variety of badges in circulation none are recognised by the Oxfordshire Councils as valid authorities to park.

1. Parking in District Council Car Parks: It is not felt that there is a need for carers to park within District Council car parks free of charge. Consequently permits are not issued for this purpose.
2. Parking on Yellow Lines: Carers are not exempt from yellow line restrictions and must not contravene them. No dispensation will be issued to carers to enable them to park on a yellow line except in a medical emergency in which case the PCN may be cancelled after consideration of the evidence available.

5.12. Cars for Sale/Hire:

Vehicles parked on the highway for the purpose of being sold, or for hire, will be subject to the same restrictions as any other vehicle. CEOs will deal with vehicles for sale in the same way as any other vehicle parked in contravention of the TRO and will issue a relevant PCN. Any challenge against the issue of a PCN to a vehicle parked in contravention of a TRO for the purpose of the vehicle being sold or hired will be rejected.

5.13. Challenge against Issue of PCN:

The owner of the vehicle may make an informal written challenge against the PCN at any time prior to the issue of a Notice to Owner.. Within this challenge the owner can mention any mitigating circumstances as well as challenging the validity of the PCN.

District Councils will respond, in writing, within 28 days of receipt of the challenge and must either give notification of acceptance of the challenge and cancellation of the PCN or rejection of the challenge.

If a challenge is received within the discount period of 14 days and is rejected the written notification from the District Council must give precise reasons why this decision has been reached. The discounted rate will be restarted and last for 14 days from the date of the representation rejection letter.

The making of an informal challenge in no way detracts from the ability of the owner to make a subsequent formal representation against the issue of the PCN to the District Council or to the Traffic Penalties Tribunal.

5.14. Challenges / Representations Accompanied by Payment:

Where members of the public submit a payment and enclose a letter challenging the PCN and seeking redress prior to the issue of a Notice to Owner, the authority will always consider the challenge.

If the challenge is unsuccessful the payment will be returned with a statement explaining why the challenge is unsuccessful. After the issue of an NtO there are two options available to the owner- either make the payment or make a formal representation.

5.15. CEOs' Pocket Book / Notebook:

The CEOs shall maintain a separate pocket book in which they shall note daily details of their patrols, PCNs issued etc. These books shall be kept in addition to any details entered into their handheld computers. They will be made available to the adjudicators in the event of a PCN being challenged through the independent adjudication process and will assist the investigation of any challenge or representation received by the Council.

Each pocket book will be numbered and when issued to the CEO the number of the previous book used by that CEO entered on its cover along with the CEO's name. Similarly when a pocket book is completed the serial number of the new book issued will be entered on the cover. All completed pocket books will be retained in the office in numerical order. Each

completed pocket book should have the CEO's name, the serial number of the previous book and the serial number of the next book written on the front cover.

5.16. Clamping & Removal:

The Councils have the power to clamp and subsequently remove vehicles parking in contravention of parking restrictions. However, it is not the intention, at this time, to carry out clamping or removal in Oxfordshire although this decision may be reviewed in the future.

5.17. Complaints against CEOs:

Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the normal representations or challenge procedures and a formal written notice of acceptance or rejection will be sent within the stipulated timescale.

Any allegation of misconduct or rudeness made against a member of the enforcement staff will be investigated and dealt with in accordance with the employing Council's Disciplinary Policy. The findings of the investigation will be communicated to the complainant, in writing, within the stipulated timescale. Should the findings not be acceptable to the complainant advice of how to invoke the employing Council's Formal Complaints Procedure will be given.

The number of complaints being handled, the basis of the complaint and their current status or outcome will be reported to senior officers on an annual basis.

5.18. Contracted Out Enforcement

Where a council has chosen to contract out the enforcement duties, complaints against CEOs will be referred to the contract manager for investigation. If the complaint is made to the council it will be the council that responds to the complaint after the matter has been fully investigated. If there is a need for this matter to be investigated within a disciplinary process the contractor will follow their own internal procedure and advise the council of the outcome. A contractor must have in place a fair disciplinary procedure in line with current employment and equal opportunities legislation.

5.19. Council Officers on Duty & Members:

All council officers on duty and Members are expected to fully comply with on-street parking regulations:

1. Staff or Members carrying out their official council duties will be expected to comply with any relevant parking regulations. Failure to comply will result in a PCN being issued.
2. Parking on Yellow Lines: No special dispensation will be given to allow staff or Members to park on yellow lines. In such cases PCNs will be issued and pursued.
3. Request for Cancellation of PCN: This will only be considered in case of emergency and must be supported by written confirmation from the relevant Corporate Director.

5.20. Court Attendance – Defendants:

The conditions applying to Jury Members and Witnesses equally apply to defendants. However, there have been instances when a defendant has unexpectedly been given a custodial sentence and, as a direct result, is unable to remove his/her vehicle from a District Council car park or limited parking bay.

In such instances the District Council will expect that the vehicle will be removed, as soon as is reasonably possible, by the defendant's family, friends or legal representatives. Any PCN issued will not be enforced providing supporting evidence is supplied by the defendant's legal representative.

5.21. Court Attendance – Jury Service or Witness:

The length or timing of any court hearing or trial cannot be guaranteed and often Jury members and/or witnesses find that they are unable to leave court to purchase further pay & display time in a car park or to move their car. This often leads to overstay and to PCNs being issued. To counter this Courts issue clear instructions to all Jury members and witnesses advising them as to how and where they should park. The courts will not pay any PCN issued to a witness or Jury member whilst carrying out their legal duties even if they are delayed by the court.

In such circumstances the Councils will enforce PCNs against the owner unless evidence is produced to support the fact that they were delayed to an extent that could not have been reasonably foreseen e.g. moved to a hotel overnight.

5.22. Dental / Doctors Appointments:

If the claim is made that, due to a delay in the appointment time or that treatment took longer than anticipated and this resulted in a PCN being issued for overstaying the parking time allowed, consideration should be given to the validity of the claim. Such claims should be supported by written confirmation from the dentist or doctor that the delay was caused for reasons outside of the driver's control.

However, the Council must be satisfied that the driver allowed long enough when deciding where to park or when purchasing a ticket for normal delays experienced whilst attending such appointments.

5.23. Description of Vehicle – On PCN:

When issuing a PCN the CEO will note the make, colour and registration number of the vehicle, which will appear on the PCN. He/She will also note other details such as tax disc number and positions of tyre valves, which will form part of the supporting records.

1. **Tax Disc Number:** The one thing that is unique to the vehicle is the tax disc number, which is recorded by the CEO at the time of the PCN issue. If these match then the Council have good grounds to pursue the PCN irrespective of any other error regarding colour or make.

2. **Incorrect colour:** If the colour is incorrectly recorded consideration should be given to cancellation of the PCN as follows:
 - a) **Widely differing Colours:** A blue car recorded as red car can obviously not be explained, and consideration should be given to cancellation of the PCN. This error may, however, indicate a re-spray not advised to DVLA. If the colour recorded by the CEO is backed up by photographic evidence taken at the time of the alleged contravention, we will proceed with enforcement, even if DVLA records show a different colour for the vehicle.
 - b) **Similar Colours:** Similar colours are often mistaken for each other especially in poor light. Many metallic colours can be seen differently by different people i.e. Silver as Blue, Black as Grey. Solid colours such as white differ widely from model to model and can be seen as Cream. Many blues can be seen as green and vice-versa. Where there is a close relationship between the colours then the PCN should be pursued.
3. **Incorrect make:** Although many manufacturers produce different models that look very similar it would be very difficult to enforce a PCN issued to a Vauxhall which turned out to be a Ford. The CEO will check the tax disc of the vehicle before issuing a PCN. This should show the correct make of vehicle. If a subsequent tax disc check is irreconcilable we may consider cancelling the PCN.

5.24. Diplomatic Vehicles:

These fall into two categories: those with 'D' plates, which indicate that the driver has full diplomatic immunity, and those with 'X' plates, which indicate limited immunity.

PCNs issued to 'D' and 'X' plate vehicles should automatically be cancelled upon input to the processing system although, should the driver subsequently decide to make payment, it will be accepted.



5.25. Disabled Drivers/Passengers:

Blue badges are issued to either a disabled driver or a disabled passenger. They can only be used when the vehicle is being used to transport the disabled person. It is not permitted to use the badge for any other purpose e.g. shopping for the disabled person when they, themselves, are not being transported in the vehicle to carry out the shopping. Blue badges must be clearly and properly displayed whilst the vehicle is parked. The Blue badge must be on the dashboard or the fascia of the vehicle where it can be seen through the windscreen. The front of the badge must be displayed, with the wheelchair symbol visible. If there is no fascia or dashboard in the vehicle, the badge must be displayed in a prominent position. The Blue badge should always be displayed along with the disabled badge time clock.

Failure to do so will result in a PCN being issued for the contravention of the relative parking restriction. When considering the matter the Councils will take into account previous

contraventions by the same vehicle and/or badge holder for failure to display a disabled badge. Where no previous contravention has occurred the representation should be allowed, providing proof of the existence of a valid badge is supplied. In such circumstances the letter sent to the person making the representation should make it clear that this contravention will be taken into account when considering any future contravention and that this may lead to future representations being rejected.

Providing the Disabled Badge is clearly and properly displayed the Badge Holder can park in:

- Limited parking areas: For an unlimited time.
- Yellow Lines: For a period not exceeding 3 hours.
- Resident Parking Zones: For an unlimited time.
- Car Parks in the area for up to 3 hours free of charge (providing the vehicle is displaying a Blue Badge & time clock, or a disabled exempt tax disc). Wherever possible the driver should park in designated disabled bays.

Disabled Badge Holders are not allowed to park in:

- Any area where there is a loading restriction.
- Any area specifically reserved for other vehicles or purpose. i.e. Taxi Ranks, reserved spaces in car parks, Bus Stops or Goods vehicle loading bays etc.

Parking with a Blue Badge must always be in accordance with the current Blue Badge Scheme guidance.

Disabled visitors from the European Union can enjoy the parking concessions provided in the UK by displaying the badge issued under their own national scheme. Where their national scheme does not include a parking disc (time clock) as required in England and Wales for parking on double yellow lines, the DfT suggests that, when parking in areas that would normally require a parking disc, the disabled badge holder should simply write the time of arrival on a piece of card and display it prominently on the dashboard or fascia panel of their vehicle. This concession will be extended to disabled badge holders from all other countries.

The Department for Transport is keen to ensure that the Blue Badge Scheme provides the intended benefits to badge holders while seeking to prevent improper use. By virtue of Section 94 of the Traffic Management Act 2004 police officers, traffic wardens, local authority parking attendants and civil enforcement officers (as defined in Section 76 of the Traffic Management Act 2004) have the power to inspect badges. It is an offence to fail to produce a badge when requested to do so by any of these authorised persons. CEOs employed by the Councils will receive specific training on how the inspection of Blue Badges should take place.

5.26. Dispensations & Suspensions:

DISPENSATIONS: The following vehicles will receive automatic dispensation from waiting restrictions:

- the vehicle is a police vehicle and being used for police purposes;
- the vehicle is an ambulance being used for ambulance purposes in an emergency;
- the vehicle is in the service of the fire brigade being used for fire brigade purposes in an emergency;
- the vehicle is setting down or picking up a passenger and for the avoidance of doubt this includes a Public Service Vehicle setting down or picking up any passenger;
- the vehicle is waiting for the purpose of loading or unloading Goods at premises situated at or adjoining that road;
- the vehicle is waiting for the collection of waste from premises situated at or adjoining that road;
- the vehicle is in the service of or employed by a Universal Service Provider while being used for the purpose of loading, unloading, delivering or collecting Postal Packets at premises or post boxes at or adjoining that road;
- the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in that road while such gate or other barrier is being opened or closed;
- the vehicle is waiting because the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
- the vehicle is being used in connection with any of the following and cannot conveniently be so used without waiting in that road:
 - removing any obstruction to traffic at or adjoining that road;
 - undertaking works (including inspection) in relation to that road or to a traffic sign, road lighting or street furniture at or adjoining that road;
 - undertaking works (including inspection) in relation to a sewer or water main, or in relation to the supply of gas, electricity, water or communication services in or adjoining that road;
 - a funeral associated with premises at or adjoining that road and is a hearse or other official vehicle of an undertaker
- the vehicle is displaying a valid Disabled Person's Badge and is waiting for a period not exceeding three hours subject to the conditions that:-
 - the period of exempted waiting does not begin less than 1 hour after a previous period of exempted waiting by the same vehicle in the same road on the same day; and
 - a Parking Disc is displayed in the Relevant Position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began

Provided that the person in control of the vehicle must move it on the instruction of a police constable in uniform, wherever that police constable considers this necessary for the purpose of preventing obstruction.

Dispensations may be granted for other reasons.

SUSPENSIONS: Designated parking bays, on or off-street, may be suspended.

Suspension of bays in off-street car parks need to be discussed with the appropriate District Council and a charge for the suspension will be made on a commercial basis.

5.27. Double Parking:

Drivers are not permitted to park their vehicles more than 50 centimetres away from a kerb when the vehicle is not within the markings of a designated parking space. This contravention is more commonly known as double parking. Vehicles parked in this manner cause inconvenience and unnecessary danger to other road users by obstructing the carriageway. Vehicles parked in such a manner may be issued with a PCN using the 26 contravention code by the CEO. The current County Council policy on double parking is contained in Appendix 9.

5.28. Drink Driving or Other Arrest:

If the driver of a vehicle has been arrested and, as a direct result, has been forced to leave the vehicle in contravention of an on-street parking restriction any resultant PCN should not be enforced unless the driver has had ample time to safely remove the vehicle after his/her release from custody. (In the case of drink driving a period of at least 12 hours should be allowed for safe removal of the vehicle).

In all cases of arrest claims the driver should be asked to provide date, time and evidence of arrest including custody number, officer and Police Station involved.

5.29. Dropping Off - Picking Up Passengers:

Except on designated clearways and zig-zag pedestrian crossing markings, any vehicle will be allowed a reasonable amount of time to drop-off or pick up passengers irrespective of any on-street waiting or loading restriction in force.

As long as the CEO witnesses dropping off or picking up activities a PCN will not be issued. After 5 minutes of inactivity a PCN will be issued.

When considering the cancellation of PCNs special consideration will be given to Hackney Carriages or Private Hire Vehicles who will need additional time to announce their arrival and accept payment.

5.30. Emergency Duties:

1. **Local Authority and Contractors working on behalf of the Local Authority Livered Vehicles** will be exempt from parking restrictions when actively dealing with an emergency on the highway. However, these vehicles should not be parked in a way that will cause an obstruction to other road users and pedestrians wherever possible.
2. **Medical Emergency:** Doctors, nurses, midwives engaged on emergency duties are, wherever possible, expected to park legally in accordance with local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided. Regular or programmed visits will not be considered an emergency.
3. **Non-Livered Vehicles** such as private vehicles being used by the Councils' staff. Such vehicles are, wherever possible expected to park legally in accordance with

local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided. Regular or programmed visits will not be considered an emergency.

5.31. Enforcement Agents (formerly known as Bailiffs):

Enforcement Agents, as agents of the court, are court officers. Of the many functions they perform, executing warrants is one that is likely to concern us most. These are court orders for the collection of money and/or goods of sufficient value to produce the required amount. For this purpose the Enforcement Agent will always have an appropriate vehicle nearby.

For their other activities they do not need a vehicle nearby, e.g. If they are serving a summons or warrant (not enforcing it). In such circumstances they would be expected to comply with parking restrictions.

When they are taking goods or high values in cash, we can exercise discretion where it appears reasonable to do so. Enforcement Agents are not exempt from legislation however, and an official badge or permit should be displayed on the vehicle and, further, the act of loading/unloading should be observed as taking place. Once goods have been seized the Enforcement Agent is required to list them prior to leaving the premises and this could legitimately take some time. In such circumstances we should ask for a warrant number, identification and confirmation of the nature of goods being seized before the PCN is cancelled.

5.32. Estate Agents:

Estate agents are not exempt from parking restrictions and PCNs should always be enforced.

5.33. Exempt Vehicles:

Vehicles with automatic dispensation from waiting restrictions are identified in Section 5.26.

5.34. Fire-fighters on Call:

'Fire-fighter on Call' placards are issued to Fire-fighters to display in their own private vehicles. The placard is meant to be a way of informing members of the public that the vehicle belongs to a fire-fighter and that the vehicle should not be obstructed in case the driver needs to report on duty at a nearby fire station. This however, does not allow the vehicle to park in contravention of any parking regulations, and any PCNs issued to vehicles displaying these placards will be enforced.

5.35. Footway Parking:

Note: A PCN may only be issued where a Traffic Regulation Order is in place

1. Parking partially or wholly on a footway should not take place unless signs permit it.
2. Driving on the footway and obstruction of the footway are endorsable offences and may be enforced by the Police.

3. Most waiting and loading restrictions cover the relevant half of the highway – Centre line to boundary and this includes all footways and verges. A PCN will be issued for contravention of the restriction even if the vehicle is parked wholly behind the yellow line(s).
4. The following vehicles are exempt from any such prohibition only under the circumstances indicated:
 - Marked Vehicles used by Police, Fire and Rescue Service and Ambulance services whilst carrying out emergency duties.
 - Vehicles used for Street / Street Light cleaning and Refuse Collection providing that they are actively involved in the function.
 - Vehicles actively involved in works or maintenance of highway or public utilities.
5. PCNs may also be issued as follows
 - HGVs parked on the footway.
 - Where a Traffic Regulation Order (TRO) specifically restricting parking on a footway exists.

5.36. Formal Representation against Issue of PCN:

The owner of a vehicle is given the opportunity to make a Formal Representation against a PCN once the Notice to Owner (NtO) is sent to him/her by the enforcing Council. This representation must be made within the period of 28 days beginning with the date of service of the NtO. Formal Representation may be made on the basis that either one or more of the regulatory grounds apply or that there were compelling reasons why in the particular circumstances of the case the PCN should be cancelled.

5.37. Funerals:

PCNs will not be issued in the case of:

- Funerals – For the hearse and cortege vehicles.

However, vehicles belonging to mourners that are not actively involved in the funeral will not be able to park in contravention of any parking restriction. Any PCN issued to vehicles associated with a funeral, however, should be considered with due respect.

5.38. Garages – Vehicles Left Unattended:

When a garage employee parks a vehicle on a highway, in contravention of a parking restriction, whilst maintenance of the vehicle is being carried out (i.e. to facilitate vehicle movement within the workshop) any PCN issued will be the responsibility of the vehicle owner. Garages have no right to utilise the highway in such a manner and PCNs should always be enforced in such cases.

5.39. Glaziers:

Claims from glazier companies that a vehicle needed to be parked close to the location of an emergency repair should be treated leniently providing it is confirmed, from the CEO's notes,

that such activity was taking place at the time of the issue of the PCN. PCNs will not be cancelled when issued to vehicles that are not actively involved in the work.

5.40. Government Department Vehicles:

Unless the reason for parking the vehicle was under exceptional circumstances PCNs issued to vehicles owned or operated by Government Departments should be enforced. They are not exempt purely by virtue of the fact that they are operated by a Government Department. If the vehicles are involved in exceptional activities such as surveillance by Customs & Excise or the Benefits Agency, evidence to support this in the form of a written statement from a senior manager on headed notepaper must be supplied. Wherever possible Government Agencies involved in such activities should be encouraged to give the appropriate Council advance notice and details if the vehicle(s) involved.

5.41. Hackney Carriages / Private Hire Vehicles (PHVs):

Hackney Carriages and Private Hire Vehicles operating within the County are licensed by the relevant District Council and carry a numbered license plate that must be displayed on the rear of the vehicle. There is a distinct difference between Hackney Carriages and Private Hire Vehicles (PHV). PHVs are not allowed to ply for hire on the street or display a "TAXI" sign.

Hackney Carriages licensed by local authorities are not allowed to ply for hire within another local authority area. Hackney Carriages and PHVs, like all vehicles, may stop to allow passengers to board or alight for as long as is reasonably necessary for the purpose. It is not an exempted activity to assist passengers into premises and to leave the carriage unattended.

If a licensed Hackney Carriage or PHV is left unattended for more than 10 minutes it is liable to receive a PCN. When considering representations it should be borne in mind that when a Hackney Carriage or PHV is called to an address to pick up passengers the driver should be allowed time to announce his/her arrival.

(See also Taxi Ranks)

5.42. Hatched Markings in Car Parks

Hatched markings are placed on the surface of the car park to indicate an area where parking or waiting is not allowed. Vehicles seen to be parked, or waiting on hatched markings within a car park will be issued with a PCN.

5.43. Hazardous Chemicals/Substances:

Claims by companies that toxic or dangerous substances were being delivered or collected from premises and, as a result, a PCN was issued to the vehicle being used should be given careful consideration. If the PCN was issued for contravention of a no waiting restriction it can be established from the CEO's notes whether the activity of loading was taking place. If no loading activity was taking place the PCN should be enforced. There is no reason, in this case, to differentiate between toxic and non-toxic deliveries as it is the driver's responsibility to ensure that the vehicle is moved immediately after the loading / unloading activity is

complete. (See definition of Loading / Unloading). Ideally if there are serious Health and Safety concerns the authority should be notified prior to the delivery.

If the PCN was issued for contravention of a no loading restriction then, once again, the CEO's notes should be viewed to establish whether the loading activity was taking place. If so then serious consideration should be given to the cancellation of the PCN in view of the Health & Safety of the public. Any such representation should be accompanied by documentary evidence showing the nature of the goods being delivered.

5.44. Hiring Agreement:

It is within the legislation that, in the case of a hired vehicle, responsibility for a PCN is that of the hirer of the vehicle at the time. Consequently, in this case, the responsibility does not rest with the registered owner, the Hire Company, providing they make formal representation to the enforcing Council once the Notice to Owner is received.

It would be helpful if a copy of the relative hire agreement is provided to confirm the identity of the hirer. In all cases this agreement must clearly state: The name and address of the hirer, the start and finish dates for the hire period and the hirer's signature. It must also include a statement regarding the hirer's liability for any PCNs incurred during the hire period.

Should any of the foregoing be unclear, absent or in contradiction of the date / time of issue of the PCN then the PCN will be enforced against the Hire Company and a notice of rejection of the representation sent to them with the reasons clearly stated therein.

5.45. Holidays:

Vehicles are often left parked in one place whilst the owner is away on holiday. In such cases a PCN could be issued for being parked in a suspended on-street parking place or for failing to display a valid Visitors permit in an on-street residential parking zone:

Suspended Bay:

- The Councils have the power to suspend parking within a designated parking bay to allow access by a specific vehicle or highway / bay maintenance to be carried out. In such cases advance notice is placed alongside the bay and is distributed to nearby properties giving the date, times and length of the suspension.
- If these notices are posted and distributed after the owner departed on holiday then any PCN issued should be cancelled. Evidence must be provided showing departure date and time (i.e. Flight tickets etc.). This should be compared with records relative to the display and distribution of the notices. In essence the Suspension cannot operate retrospectively.

Residential Zone Parking using a Visitors Permit:

- It is sometimes the case that friends, holidaying together, will use one vehicle and the second vehicle is parked for the duration of the holiday. This occasionally results in a vehicle, belonging to a non-resident, being left in a Residential parking zone displaying a visitor's permit.

- Visitor's permits are designed for genuine visitors to a resident's property and are valid for one day only. Display of permits completed in advance is considered to be invalid and PCNs will be issued for this reason.
- The Councils consider these vehicles belong to people who are not genuinely visiting the residential property and, therefore, the PCNs will be enforced.

5.46. Intervention in Challenge & Representation Processes by Members and other Officers:

The Statutory Guidance states: *"Elected members may wish to review their parking representations policies, particularly in the area of discretion, to ensure consistency with published policies. However, elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff make decisions on the facts presented. The authority's standing orders should be specific as to which officers have the authority to cancel PCNs. There should also be a clear audit trail of decisions taken with reasons for those decisions."*

The process of dealing with challenges and representations against the issue of PCNs will therefore be carried out in a fair, unbiased and equal manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator (Traffic Penalties Tribunal). To preserve the integrity of these procedures they will be managed and carried out by Council Officer not directly connected with the actual enforcement operations and no undue external pressure shall be brought, by either members of the Councils or other senior officers, designed to unduly influence the decisions by virtue of their position alone.

5.47. Legislation:

The statutory acts governing parking enforcement are: The Traffic Management Act (2004) and The Road Traffic Regulation Act (1984). If a driver is querying the legislation it should be explained to him/her in simple terms. There is no need to supply specific reference unless especially requested.

When such a request is made the Councils will make reference to specific, relevant paragraphs and will quote them verbatim within any correspondence. The Councils will not supply full copies of the relevant acts, which can be obtained from the HMSO or accessed via the internet.

If the owner is querying the authority behind a specific restriction then reference should be made to the relevant Traffic Regulation Order, held by the enforcing Council. Prior to any correspondence with the owner this order should be checked to ensure the validity of the PCN. If any doubt exists then the PCN should be cancelled and the decision communicated to the owner. The Councils are not able to provide any legal advice.

5.48. Loading / Unloading:

Vehicles will be permitted to park in contravention of waiting restrictions, including Resident Parking Zones, whilst carrying out the legitimate activity of Loading or Unloading provided:

1. Loading / Unloading involving the vehicle, is observed by the CEO whilst the vehicle is parked. The observation period shall be for at least five minutes for a private vehicle and 10 minutes for a commercial vehicle, and a PCN shall only be issued if no activity is seen during this period.
2. The goods being delivered or collected comply with the definition of goods (please see 'Definitions' below).
3. 10 minutes will be allowed for the driver of a goods vehicle to complete delivery paperwork.
4. Where a PCN is issued, a representation will be considered if supported by evidence confirming that the driver was delayed or was involved in moving heavy goods.

See also Goods Definition of When Related to Loading/Unloading

5.49. Location – Incorrect:

When a PCN is issued the location of the vehicle is stated on the PCN itself. If this is recorded incorrectly then this is deemed to be a material error and the PCN should be cancelled.

5.50. Lost Keys:

Where it is claimed that car keys have been lost, stolen or locked in a car thus preventing removal of the car from a parking area which in turn resulted in the issue of a PCN, then due consideration should be given to its cancellation. When considering this the representation should be accompanied by any supporting evidence from the police, motoring organisations or relatives. The following should also be considered:

- If the vehicle was parked in a pay & display car park, did the loss of the keys prevent purchase of additional parking time?
- If the vehicle was parked on a yellow line, should it have been parked there in the first place?

5.51. Medical Emergencies:

If the motorist provides proof of a medical emergency, that is consistent with the conditions described or, if the CEO has made notes to support the motorist's representation, we may accept the representation and cancel the PCN. If the motorist cannot provide some proof of a medical emergency, consistent with the conditions described or, where other evidence contradicts the motorist's claim we may reject the representation. Each case will be treated on its individual merits and will take any previous PCNs issued to the same vehicle owner into account.

5.52. Mis-Spelling Of Owner's Name:

The mis-spelling of the owner's name and/or address on the Notice to Owner does not invalidate it or discharge the liability of the person receiving it. The onus is still on the genuine owner to deal with the matter. Such names and addresses are, in most cases, obtained from the DVLA and are supplied by the owners themselves. It is also incumbent upon the owner to ensure that these are correct. If any mis-spelling is discovered then alterations must be made immediately to ensure that future notices are sent out correctly.

When the mis-spelling is severe and is radically different from the correct spelling consideration should be given to the cancellation of the PCN.

5.53. Mitigating Circumstances:

Each case will be treated on its individual merits and particular circumstances are referred to elsewhere within this document. However, the following are a few guidelines:

1. **DELAYS:** Delays due to queues at shops, banks etc., meetings taking longer than expected, caught up in crowds etc., are not considered as valid reasons to cancel a PCN. Allowance should be made for such delays when purchasing parking time as they are a regular occurrence and part of normal life. (See emergencies below).
2. **CHILDREN / ELDERLY PEOPLE:** Claims are often made by people, accompanied by young children or elderly people, that they were delayed because of them. Again this should not be considered as a reason to cancel a PCN because allowance should be made for this when purchasing parking time. (See emergencies below). Claims that PCNs issued whilst children were being dropped-off or collected from schools etc., should not be cancelled unless a reasonable amount of time was not allowed by the CEO. The normal 5 minute observation period should be enough time in such circumstances.
3. **EMERGENCIES:** An emergency is an unforeseen situation that prevented the driver from moving his/her vehicle. They are usually of a medical nature and leniency should be exercised where it can be seen that the driver could not have foreseen the situation. Wherever possible such claims should be supported by independent evidence.

5.54. Mobile Phones:

The driver of a vehicle that is parked in contravention of any parking regulation whilst using a mobile telephone will only be allowed the relevant observation period in order to complete their call prior to the issue of a PCN. The relevant observation period is dependent on the parking contravention being committed, and the type of vehicle – whether it is a private or commercial vehicle. **See ‘Standard Contravention Codes and Observation Times’ above.**

5.55. Motorcycle Bays:

On-street motorcycle bays that are correctly marked and included in a Traffic Regulation order will be enforced under CPE using the correct contravention code and suffix. If a car or goods vehicle is parked in a motorcycle bay and the relevant exemptions do not apply the PCN will be enforced.

Motorcycle parking provision in car parks is a District Council responsibility. Enforcement action can be taken under CPE provided that the Parking Places Orders specify that areas are reserved for motorcycle use and that the spaces are clearly signed.

5.56. Motorist Claims of Feeling Unwell:

If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described or, if the CEO has made notes to support the motorist's representation, we may accept the representation and cancel the PCN. If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described or, where other evidence contradicts the motorist's claim we may reject the representation. Each case will be treated on its individual merits and we will take any previous PCNs issued to the same vehicle owner into account.

See also Medical Emergencies**5.57. Motorist Not the Owner/Keeper, or Had Sold the Vehicle at the Time of the Contravention:**

We may accept representations made against the issue of a PCN if:

- The current registered owner is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or
- If the current registered owner is able to provide the full name and address of the person to whom they disposed of the vehicle along with the date of disposal.
- If the current registered owner is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or
- If the current registered owner is able to provide the full name and address of the person from whom they purchased the vehicle along with the date of purchase.

5.58. Notice of Rejection or Acceptance of Formal Representation:

Within 10 working days of receipt of a formal representation from the owner of the vehicle the enforcing Council will endeavour to send out a written Notice of Acceptance or Rejection:

1. Notice of Acceptance: This will confirm that the representation has been accepted and that the person's liability for the PCN has been cancelled.
2. Notice of Rejection: This formally rejects the representation and gives detailed reasons why the Council has come to this conclusion. The rejection is also accompanied with the necessary forms and instruction on how a further representation can be made to the independent Traffic Penalties Tribunal. – This representation must be made within 28 days beginning with the date of service of the notice of rejection (subject to extension as provide in the Regulations)..

5.59. Observation Period – Prior To Issue Of PCN:

Prior to the issue of a PCN the CEOs will, for most contraventions, allow a period of at least 5 minutes for a private vehicle, 10 minutes for a commercial vehicle, to elapse between first observing the vehicle illegally parked and the issue of the PCN. The details of the vehicle will be entered into the CEO's Hand Held Computer (HHC) when first seen and the computer

will prevent issue of the PCN within 5 minutes of that time. However, if the CEO has evidence to suggest that no loading or unloading is taking place either by conversation with the driver or observation (such as the driver going into a betting shop, for example) an immediate penalty charge notice may be issued.

The CEOs will be able to continue with their patrols, as long as the contravening vehicle is kept in view, and then return to the contravening vehicle. The observation time and the PCN issue time will appear on the face of the PCN itself and will be recorded by the enforcement software system.

5.60. Pay & Display Ticket Machines – Did Not Realise There Was One There:

Claims from owners that they did not see or realise that they had to use a meter or pay & display machine should be dismissed providing that they are clearly sign posted.

5.61. Pay & Display Ticket Machines – Not Working:

Where it is claimed that a machine is not working then reference must be made to both the maintenance records, the CEO's notes and machine test records (machines are tested before every patrol). If it is confirmed that the machine was not working at the time then consideration will be given to cancelling the PCN. If there was an alternative machine in working order, and in close proximity, then it is reasonable to expect the driver to use this machine.

5.62. Pay & Display Tickets:

Most of the District Council's car parks operate as pay & display. Pay & Display requires the purchase of a ticket at the time of parking for the amount of time required. All tickets display the expiry date and time on them along with the fee paid and car park. The car park fee tariff is clearly displayed adjacent to each machine. Pay & Display Tickets must be:

1. Clearly displayed whilst the vehicle is parked.
2. For the date shown.
3. Un-expired.
4. For the car park indicated
5. For the vehicle indicated – where applicable.

PCNs will be issued for:

1. Failing to display a valid ticket.
2. Displaying a ticket that has expired.
3. Purchasing additional Pay & Display tickets in order to extend the stay beyond that initially purchased (only applicable in some car parks where the contravention is clearly signed).

Representations made because the driver failed to correctly display a valid ticket even though one was held will not be allowed as it is incumbent upon the driver to ensure that the

ticket is clearly displayed throughout the time that the vehicle is parked. Representations made because the driver did not have change will not be upheld.

For the avoidance of doubt correctly displayed means that the pay and display ticket must be displayed face up inside of the windscreen so that all of the information printed on the ticket covering arrival/departure times and amount paid are clearly visible through the front windscreen.

Representations made because of delays returning to the car park will be dealt with in accordance with 'mitigating circumstances' above.

5.63. Penalty Charge Notice – Discount Period:

The PCN rates in those areas of the County where CPE powers have been adopted are currently set at £70 and £50 depending on the type of parking contravention. If the PCN is paid within 14 days beginning with the date of service of the PCN a discounted amount of £35 or £25 (50% of the original PCN rate) will be accepted in full settlement of the matter. If a representation is received from the owner within 14 days of issue of the PCN the discounted period will still apply.

Following the rejection of an initial representation or, in certain circumstances, of a formal representation, a further 14 days for the payment of the PCN at the discounted rate will be allowed. This information will be included within the Notice of Rejection.

If the challenge is received more than 14 days from date of service of the PCN the discount period will not apply and the full amount of £70/£50 will be payable in the event of the challenge being rejected.

If a Notice to Owner (NtO) is sent to the owner/keeper who subsequently states that they have not received a Penalty Charge Notice they may make a written statement to that effect. If accepted, the discount amount can be paid provided it is paid within 14 days.

When it is claimed that the PCN was not received the computer system will be interrogated

1. To ensure that previous such claims have not been made by the same person. If there is a history of such claims the discounted period should not be restarted and the full amount paid.
2. To determine whether the information recorded by the CEO confirms that the PCN was attached to the vehicle.
3. To determine whether there is corroborating evidence that the PCN may have been removed illegally by third parties or otherwise.

It is an offence for any person other than the owner or person in charge of the vehicle and the enforcement authority to remove or interfere with a PCN attached to a vehicle. A person committing such an offence will be liable to a fine not exceeding level 2 on the standard scale.

5.64. Penalty Charge Notice - Early Issue Of:

Claims that a PCN was issued before the time that a contravention is deemed to have been committed requires careful investigation. The issue of PCNs is controlled by handheld Computers carried by each CEO. These computers have in built clocks, which are calibrated each morning prior to commencement of the patrols. Where appropriate the CEO will impose a five-minute observation period for private vehicles, and a ten-minute observation period for commercial vehicles, prior to allowing a PCN to be issued. These times will appear on the PCN itself as "Time First Seen" and "Time of Issue". The computer system will prevent any subsequent alteration to these times. The normal procedure is for a CEO to enter the observation details into the computer, then to continue with his/her patrol before returning to the vehicle to complete the issue of the PCN. In all cases a minimum of five/ten minutes must be allowed between observation and issue.

5.65. Penalty Charge Notice – Incorrect Vehicle Location:

Claims from a motorist that their vehicle was not parked in the location at the time and on the date alleged on the PCN requires careful consideration.

Following consideration of all available evidence we may accept representation against the issue of a PCN if:

- The motorist provides a copy of their vehicle excise licence (tax disc), which was valid at the time of the contravention, and the serial number of which differs from the serial number noted by the attendant.

The representation may be rejected if:

- The photographic evidence obtained by the CEO at the time of the contravention proves that the vehicle was parked in the location specified on the PCN.
- The motorist does not provide a copy of their tax disc, after being given a further opportunity to submit such a copy.
- The serial number on the copy tax disc provided by the motorist is identical to the serial number noted by the CEO.
- If there is no evidence or if the evidence presented does not support the claim or is inconclusive.
- There have been previous unsubstantiated claims made by the same individual.

5.66. Penalty Charge Notices – Removed from Vehicle / Not Received:

It is an offence under Regulations made further to the Traffic Management Act 2004 (General Regulation 11) for any unauthorised removal or interference with a Penalty Charge Notice once it has been affixed to a vehicle.

Claims from the registered owner of the vehicle that a PCN was not received will require careful consideration. This is because the CEOs will gather photographic evidence at the time of the contravention to prove that the PCN was affixed to the vehicle.

If we receive correspondence claiming that the PCN was not received, we will examine the evidence recorded by the CEO. If it is accepted that the PCN was not received we will write to the registered owner of the vehicle to inform them that if the PCN is paid within 14 days of issue of this letter, the PCN rate will be discounted by 50% and £35 or £25 (depending on the contravention) will be accepted in full settlement. If the PCN remains unpaid after 14 days it will be dealt with via the normal PCN Recovery System.

When it is claimed that the PCN was not received the notice processing system will be interrogated to ensure that previous such claims have not been made by the same person. If there is a history of such claims the discounted period should not be restarted and the full amount paid.

5.67. Penalty Charge Notices – Time to Pay / Instalment Payments:

As a general rule the enforcing Councils will neither offer extensive time in which to pay PCNs nor will it enter into instalment payment arrangements. Exceptions to this are only made in cases of demonstrated, genuine financial hardship. The enforcing Councils will not consider such arrangements if Enforcement Agent warrant(s) has been issued for recovery of the amount due although the Enforcement Agent may enter into such an arrangement.

- Application must be in writing and will be responded to within 8 working days.
- The application must contain proposal for payment and be accompanied by any evidence supporting the claim of financial hardship.
- The enforcing Council's response will signify acceptance or rejection of the proposal.
- A rejection will be accompanied by the enforcing Council's counter proposal which will be the final offer based on:
 - Where the debt involves multiple PCNs the enforcing Council will expect the settlement of at least one per month.
 - Payments will be applied to the oldest PCN first thereby preventing the payment of discounted PCNs first.
 - Otherwise a minimum payment of £10 per week. Wherever possible payment to be made by post-dated cheques to be held by the enforcing Council for presentation on the due dates.
 - Non-payment of any cheque will result in enforcement action being recommenced and all un-banked cheques being returned to the drawer with a letter stating that the arrangement is cancelled.
 - Where payment by cheque is not available, payments by postal order or debit card will only be accepted at the enforcing Council's Parking Section.
 - The enforcing Council will maintain a separate active file for each arrangement reached, which will be reviewed by a senior manager each month.

5.68. Penalty Charge Notice – Vehicle Driven Away Prior to PCN Being Served:

If the CEO's pocket notebook and computer notes confirm that the vehicle drove away after the issue of the PCN had begun, i.e. whilst details were being noted, but before the PCN could be served, i.e. handed to the driver or affixed to vehicle, the PCN will be served on the owner of the vehicle by post after obtaining the owner details from the DVLA.

5.69. Penalty Charge Rate:

The PCN rates have been set at £70 and £50 for Oxfordshire, dependant on the type of parking contravention committed. Any increase will only be possible if authorised by guidelines from Central Government and will require proper advertisement prior to introduction. If paid within 14 days of issue the PCN rate is discounted by 50%, and £35 or £25 (depending on the type of contravention) will be accepted in full settlement. We may accept representations made against the issue of a PCN if the PCN or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge.

5.70. Permits (or Passes) In District Council Car Parks

Parking permits are issued by some District Councils for use on their car parks. Details can be obtained from the appropriate District Council.

5.71. Plumbers, Electricians, Gas Fitters:

Emergency call out: An emergency is considered to last as long as it takes to make the premises safe i.e. turn off the main supply. After which, any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.

Heavy Equipment: Dealt with as loading / unloading.

5.72. Police Officers on Duty:

PCNs should not be issued to marked police vehicles when on official duty. Requests for cancellation of any PCN issued to an unmarked police vehicle must be made by the officer's area Inspector or equivalent. They should contain confirmation that the officer was on official business and that it was inappropriate for the vehicle to be parked elsewhere.

PCNs issued to unmarked police vehicles regularly parked outside of a police station should not automatically be cancelled as this can be deemed to be parking at a place of work and therefore, no different from any other employed person.

5.73. Police Officer Gave Permission To Park:

Where details of the officer concerned are given, confirmation should be sought prior to cancellation of the PCN. Where these details are not given then the PCN should be enforced unless they are supplied subsequently.

A CEO will not be permitted to allow people to park in contravention of any parking restrictions.

5.74. Pregnancy – Parents with Young Children:

Generally pregnancy is not considered to be a disability and delays caused by young children should not normally lead to the cancellation of a PCN. However, this is a sensitive area and each case should be treated on its merits. i.e. If the delay was short (up to 10 minutes) or was caused by a minor medical emergency, child being sick or pregnant women feeling unwell, leniency should be shown. If the delay was caused by the parent not allowing

additional time enough to deal with young children or her own condition, both of which they are fully aware of, then the PCN should be enforced.

5.75. Previous Records of Parking Contraventions

All parking contravention records are stored within a computer system. All records of previous parking contraventions committed by vehicle owners will be consulted upon before making any decision on representations received.

5.76. Private Property:

Private landlords, residents etc can impose any reasonable restriction on their own property i.e. the need for permits, clamping etc. Enforcement of such restrictions, however, is also their responsibility although it may be subcontracted to other companies. Any person querying such an area should be referred to the relevant landlord or resident.

5.77. Public Service Vehicles (PSVs):

1. In service PSVs may stop anywhere to allow passengers to board the vehicle (unless there are specific exemptions in place)
2. Out of Service PSVs are not permitted to park in contravention of any restrictions and will be treated the same as any other vehicle.
3. Touring Coaches are permitted to park in order to allow passengers to board / disembark the vehicle. However, they are not permitted to park in contravention of any restriction for any length of time prior to, or after, passengers have boarded / disembarked.

5.78. Public Utility Vehicles:

See “**Emergencies Duties**” & “**Exempt Vehicles**”

5.79. Registered Owner Liability:

The following extract from General Regulation 5 issued further to the Traffic Management Act 2004 outlines who is responsible for paying a penalty charge once issued:

‘Person by whom a penalty charge is to be paid

- (1) Where a parking contravention occurs, the person by whom the penalty charge for the contravention is to be paid shall be determined in accordance with the following provisions of this regulation.
- (2) In a case not falling within paragraph (3), the penalty charge shall be payable by the person who was the owner of the vehicle involved in the contravention at the material time.
- (3) Where—
 - a) the vehicle is a mechanically propelled vehicle which was, at the material time, hired from a vehicle-hire firm under a hiring agreement;

- b) the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty charge notice served in respect of any parking contravention involving the vehicle during the currency of the hiring agreement; and
 - c) in response to a notice to owner served on him, the owner of the vehicle made representations on the ground specified regulation 4(4)(d) of the Representations and Appeals Regulations and the enforcement authority accepted those representations,
- the penalty charge shall be payable by the person by whom the vehicle was hired and that person shall be treated as if he were the owner of the vehicle at the material time for the purposes of these Regulations.

In this regulation—

- a) “hiring agreement” and “vehicle-hire firm” have the same meanings as in section 66 of the Road Traffic Offenders Act 1988; and
- b) “the material time” means the time when the contravention giving rise to the penalty charge is said to have occurred.’

5.80. Residents’ Parking (On-Street):

RESIDENTS’ PERMITS:

- A resident’s permit must be clearly displayed on the windscreen of the vehicle. Permits are only valid in the zones indicated on the permit, for the registration numbers and until the expiry date printed on its face.
- Failure to display a resident’s permit when required is a contravention and will result in a PCN being issued which should not be cancelled unless there are mitigating reasons why the permit was not displayed.
- Use of a permit in a zone other than those specified on the permit, or after its expiry date is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.

VISITORS’ PERMITS:

- Visitors’ permits are obtained by residents and issued to genuine visitors to their homes. Full instructions on how to use and display them are printed on the permits. Permits are valid only within the zone(s) printed on its face.
- Failure to display a visitor’s permit when required is a contravention and will result in a PCN being issued, which should not be cancelled unless there are mitigating reasons why the permit was not displayed.
- Use of a permit within a zone other than the zone indicated on the permit and on a date other than that indicated on the permit is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.
- Visitors’ permits are not available in every residents’ parking zones.

LIMITED WAITING

- In some residents' parking zones vehicles can be parked for a limited time. The signs in these areas should be checked for the permitted duration.
- Vehicles exceeding this duration and not displaying a permit will be issued with a PCN.

5.81. Road Signs / Markings – Missing, Obscured or Broken:

1. Yellow Lines:

- a) Where it is claimed that a yellow line(s) is worn away or has been covered by a highway repair the area should be immediately inspected and remedial work undertaken as soon as practicable.
- b) Where weather conditions have obscured the lines (e.g. snow) then remedial action to clear the problem will be taken as soon as practicable.
- c) If it is confirmed that the claim is valid the PCN should be cancelled. The claim will be considered valid if the motorist could not establish if the restriction considered was in operation. Where the lines can be clearly seen, even though they may be partially worn, the PCN will be enforced but remedial action to renew the lines should be undertaken.

2. Kerb Markings: (Loading Restrictions) as per yellow lines above.

3. Obscured Signs:

- a) Information signs accompanying waiting or loading restrictions must be clearly visible at all times. If it is claimed that a sign was obscured and could not be read (e.g. graffiti, weather, and overhanging trees) the sign should be inspected as soon as practicable and remedial action taken. Photographic records from the CEO will be consulted. If the claim is proved to be correct the PCN should be cancelled.
- b) If the sign can be easily read then the PCN should be enforced but the sign should be returned to reasonable condition as soon as is practicable.

Missing Signs: If a sign is claimed to be missing it should be inspected as soon as practicable and, if confirmed, arrangements made for its replacement. A single missing time plate will not normally be considered as the restriction being improperly signed. No Waiting At Any Time restrictions do not require time plates to be erected.

4. Restriction marked after vehicle parked: A PCN may be cancelled if records confirm that signing/lining/placement of cones or suspension notices are likely to have taken place after the vehicle was parked.

5.82. Royal Mail and Universal Service Provider Vehicles:

Vehicles being used for the collection or delivery of postal packets are exempt from the regulations as long as they can be seen to be actively involved in such. Vehicles parked for more than 10 minutes with no activity observed are subject to the same restrictions as

ordinary motorists and a PCN should be issued. Cancellation of a PCN will only be considered if written confirmation is received from the area manager that the vehicle was actively involved in the collection / delivery of mail.

5.83. Security:

The Chief Constable of Thames Valley Police can, at any time, give notice to suspend the use of a parking space for up to 28 days where he/she considers such suspension as necessary for maintaining security in adjacent premises. PCNs issued for contravention of such suspensions should always be enforced.

5.84. Security Vans:

Secure cash vans are occasionally required to park in close proximity to premises in order to effect safe delivery or collection of cash. PCNs issued under such circumstances should be cancelled upon receipt of a representation from the security company confirming such an activity at the time, unless it can be clearly shown that the vehicle was parked for longer than was necessary.

Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.

5.85. Street Traders:

Street trader's vehicles such as mobile kitchens and ice cream vans will not be permitted to park in contravention of any restrictions.

If a street trader's vehicle is seen to be parked in contravention of a TRO the person appearing to be the driver of the vehicle will be advised to move the vehicle by the CEO. If the vehicle is not moved after advice from the CEO, a PCN will be issued.

5.86. Suspended Bays:

PARKING BAYS, DOCTORS, RESIDENTS, BUSINESS, SHARED USE.

Where a representation is received claiming that a vehicle was parked at the location without having received notice of the suspension and, upon investigation the claim is found to be valid the PCN should be cancelled, providing that a valid permit was displayed. It is normally the case that the responsibility for ensuring a vehicle is parked in accordance with any possible suspension rests with the driver. However, it will be the registered owner of the vehicle who is responsible for paying any penalty charge notice issued to the vehicle.

However, when a vehicle is parked legally within a designated bay, which is subsequently suspended, it is deemed to be legally parked as it cannot be made illegal retrospectively by the suspension. Vehicles parked when the suspension was placed should be recorded at that time. The owner will have to demonstrate however that, if the vehicle remains parked in contravention of the suspension for a considerable time, (s)he remained unaware of the suspension (e.g. on holiday).

5.87. Tariff – Rises in Parking Charges not Publicised:

We may accept representations made against the issue of a PCN if the owner of the vehicle can provide proof that statutory notices were not erected in accordance with procedural regulations or, if the revised tariff is not on the tariff board.

5.88. Taxi Ranks:

District Councils make orders for Hackney Carriage Ranks. A notice is displayed at each rank showing its limits, how many Hackney Carriages may stand on it and any special regulations applicable. Vehicles, other than Hackney Carriages, (including Private Hire Vehicles) parked in such ranks will be issued with a PCN. Any vehicle, including a Hackney Carriage, parked outside of the rank and in contravention of a parking restriction will be issued with a PCN

See also “Hackney Carriages / Private Hire Vehicles (PHVs)”

5.89. Time/Date Calibration of Handheld:

Prior to commencement of each shift the CEOs shall calibrate their hand held computers to ensure that they reflect the correct time and date.

5.90. Trunk Roads

Trunk roads are the responsibility of the Highways Agency (HA). However, we will be enforcing parking restrictions on major trunk roads such as the A34 after having gained consent from the HA to do so.

5.91. Unauthorised Movement of a Vehicle:

1. Stolen Vehicle: Confirmation from the police that the vehicle was reported stolen at the time the PCN was issued including the relative crime report number will result in the PCN being cancelled.
2. Unauthorised use of a vehicle by another family member or a friend is difficult to substantiate and under these circumstances the PCN should be enforced unless it can be demonstrated that the matter was reported to the police prior to or just after the issue of the PCN. Subsequent reports will not lead to the cancellation of the PCN.

5.92. Uniforms – CEOs:

The Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007 (SI 2007/3485) prescribe that when exercising prescribed functions a CEO must wear a uniform. The uniform should be readily distinguishable from those worn by the police and traffic wardens, and clearly show that the wearer is engaged in parking enforcement; the name of the local authority/authorities of whose behalf s/he is acting; and a personal identity number.

In Oxfordshire the Civil Enforcement Officers will consist of the items specified in the Traffic Management Act and will comply with the requirement of BS 471:2003.

The epaulettes must be worn when the CEO is on duty and when PCNs are issued. The epaulettes will clearly display the following:

- The initials of the Local Authority that they are working on behalf of:
 - CDC = Cherwell District Council
 - OCC = Oxford City Council
 - SODC = South Oxfordshire District Council
 - VWHDC = Vale of White Horse District Council
 - WODC = West Oxfordshire District Council
- Their individual CEO number.
- The words 'Civil Enforcement Officer (Parking)'.

5.93. Vandalised Vehicle:

When a vehicle has been vandalised to an extent that prevents it from being safely moved any PCN issued will be cancelled providing acceptable supporting evidence is provided. This evidence should be from either:

1. The Police – quoting the recorded crime number.
2. Motoring Organisation / Garage Service who removed the vehicle from site.

CEO observation from his/her pocket book must also be considered providing that it clearly states the extent of the damage.

Failure to provide supporting evidence or the absence of CEO observation will lead to the PCN being enforced.

5.94. Vehicles Left Unattended To Gain Access:

When a driver has to collect a key to gain access to a property this should take no longer than 5 minutes and will be covered by the 5 minutes CEO's observation time. In such circumstances vehicles should not be left for longer periods or in contravention of a total 'no waiting' or loading restriction. However, each case should be considered on its merits and extenuating circumstances taken into account.

5.95. Vehicle Stolen:

We will accept representations made against the issue of a PCN if the vehicle had been taken without the owner's consent subject to receiving satisfactory evidence. The registered owner will be asked to provide a valid police crime report including the crime reference number.

5.96. Visitor to Britain:

If a PCN is issued to a vehicle displaying foreign registration plates it should automatically be recognised by the processing system as the registration number will not be in DVLA format. Consideration should be given to cancellation of the PCN but, should payment be made then it should be accepted in the normal way. Equally all correspondence and representations

should be dealt with in the normal way. If a PCN is issued to a UK registered vehicle, which has been borrowed or driven by a foreign resident, the PCN should be enforced against the owner(s) as they remain liable for it.

5.97. Voluntary Patient Transport Vehicles:

The display of a "Voluntary Patient Transport" placard does not automatically exempt the holder from parking restrictions. However, all representations or challenges against the issue of a PCN should be given due consideration bearing in mind that this is a voluntary service provided for the elderly and sick so that they can be transported to and from hospitals.

Generally such consideration should extend to:

1. Allowing sufficient time to enable the driver to make his/her presence known to the passenger(s).
2. Allow sufficient time to assist the passenger(s) between the vehicle and their home(s), bearing in mind that they may be elderly, infirm, disabled or unwell. This may well involve sufficient time to ensure that the passenger is comfortably settled within his or her own home prior to departure by the driver.

Representations / challenges should be accompanied by documentary evidence giving the date, time, the pick-up and drop-off locations for the trip and, wherever possible, a description of the passenger (i.e. Elderly, Disabled, Post-Operative etc.).

6. DEFINITIONS:

The following are definitions of terms commonly used in conjunction with parking enforcement.

6.1. Charge Certificate:

A Charge Certificate may be issued:

1. 28 days beginning with the date on which the Notice to Owner (NtO) is served and no Formal Representation is made.
2. 28 days beginning with the date on which the Notice of Rejection to a Formal Representation is served where no appeal has been made to Traffic Penalties Tribunal.
3. 14 days beginning with the date that any appeal to Traffic Penalties Tribunal is withdrawn (i.e. withdrawn before hearing)
4. 28 days beginning with the date the rejection of an appeal by the TRAFFIC PENALTIES TRIBUNAL is served.

When a Charge Certificate is issued the amount of the penalty is increased by 50%. PCNs issued at the £70 rate will increase to £105. PCNs issued at the £50 rate will increase to £75. The Charge Certificate is sent to the debtor requiring payment within 14 days beginning with the date of service of the charge notice.

6.2. Debt Registration:

- This is done at the TEC (Traffic Enforcement Centre) at Northampton County Court electronically on or after 18 days from the issue of a Charge Certificate.
- The enforcing Council must confirm issue of the Charge Certificate to the court and there is a fee, from the court, of £5 for each registration. This is added to the amount owed to the enforcing Council.

6.3. Debt Registration – Notice of:

- Once the debt has been registered at TEC an Order for Recovery and Witness statement Form is sent to the debtor advising him/her that they have 21 days in which to pay the amount owed or swear a witness statement.
- Failure to do either will lead to a Warrant of Execution being applied for by the enforcing Council at TEC.
- Once issued this will enable the enforcing Council to instruct Enforcement Agents to collect the debt on their behalf.

6.4. Dispensation:

- Formal permission given by a Local Authority for a vehicle to park in contravention of a waiting or loading restriction – i.e. to allow maintenance to be carried out to adjacent property.

6.5. Driver & Vehicle Licensing Agency (DVLA):

- The Government Centre responsible for maintaining records of all vehicles, their registered keepers and Driving Licenses.

6.6. Goods – Definition of When Related To Loading / Unloading:

- In claims of loading / unloading permitted 'goods' are deemed to be any that are of sufficient bulk and/or weight that requires the vehicle to be parked adjacent to the point of collection or delivery.
- If a delivery is being carried out to a trade or business premises by a commercial vehicle this will be seen as compliant with the above.
- The delivery / collection of small individual portable items to or from a private vehicle will not constitute loading / unloading unless an elderly, disabled or infirm person is involved and enforcement of the restriction would cause hardship.
- In all cases the vehicle should never be parked for longer than is necessary but allowance should be made for delivery notes etc., to be signed.

6.7. Non-Fee Paying Enquiry & Response to DVLA – VQ4 & VQ5:

- When a PCN remains unpaid for 28 days The Councils will make an enquiry to DVLA (VQ4) to ascertain the identity of the owner of the vehicle. This enquiry is made electronically via the Council's parking enforcement System.
- The response (VQ5) from DVLA is also electronic and is automatically fed into the Council's system. Responses are usually received within 3 days of enquiry.

- DVLA will confirm the response by forwarding a paper copy of the relative VQ5.

6.8. Notice to Owner (NTO):

- If a PCN remains unpaid for 28 days the Councils will make an enquiry with DVLA to ascertain the identity of the registered owner. Once this is done a legal Notice to Owner will be sent to the owner advising him / her that the relative PCN remains unpaid.
- The notice will contain full details of the PCN issued and requests payment within 28 days of receipt or it gives the owner the opportunity to make a Formal Representation against the issue of the PCN, which also must be done within 28 days of receipt.

6.9. Penalty Charge Notice (PCN):

Issued at the time of the alleged contravention and must be affixed to the vehicle within a sealed plastic carrier, handed to the driver, or issued by post (in the case of a vehicle driven away before the PCN was served, or where the CEO has been prevented from serving the notice to the driver).

The PCN will identify:

- a) The date on which the notice is served;
- b) The name of the enforcement authority;
- c) The registration mark of the vehicle involved in the alleged contravention;
- d) The date & time at which the alleged contravention occurred;
- e) The grounds on which the civil enforcement officer serving the notice believes that a penalty charge is payable;
- f) The amount of the penalty charge;
- g) That the penalty charge must be paid before the end of the 28-day period;
- h) That if the penalty charge is paid before the end of 14 days beginning with the date of service of the notice, the penalty charge will be reduced by the amount of any applicable discount;
- i) The manner in which the penalty charge must be paid;
- j) That if the penalty charge is not paid before the end of the 28-day period, a notice to owner may be served by the enforcement authority on the owner of the vehicle; and
- k) That the person on whom the notice to owner is served will be entitled to make representations to the enforcement authority against the penalty charge and may appeal to an adjudicator if those representations are rejected; and
- l) That, if representations against the penalty charge are received at such address as may be specified for the purpose before a notice to owner is served,-
 - a. those representations will be considered;
 - b. but that, if a notice to owner is served notwithstanding those representations, representations against the penalty charge must be made in the form and manner and at the time specified in the notice to owner.

6.10. Registered Owner:

The Person(s) or organisation who are registered at DVLA as being legally responsible for the vehicle – The Registered Owner is not necessarily the Owner or the Driver.

6.11. Suspension of Parking Bay:

Suspension of parking within a designated parking bay(s). Notified by display of adjacent signs and notices sent, in advance, to nearby properties.

6.12. Traffic Enforcement Centre (TEC):

The TEC is located in Northampton and is a branch of the County Court, which specifically deals with motoring contraventions. All communication with TEC is carried out electronically either by fax or on line modem link via a Parking Enforcement computer system.

6.13. Traffic Penalties Tribunal (formally National Parking Adjudication Service):

- An independent body supported by subscriptions from Local Authorities by means of a levy on each PCN issued.
- Once a formal representation against a PCN has been rejected the owner of the vehicle is given the opportunity to appeal to the Traffic Penalties Tribunal within 28 days of the rejection.
- Traffic Penalties Tribunal will review the case and make an independent decision as to the validity of the ticket based purely on its legality. The Traffic Penalties Tribunal will not take mitigating circumstances into account but will, realistically, expect a Local Authority to do this prior to the matter being sent to them. If they feel that mitigating circumstances do apply they will not uphold the appeal but will make their view known to the Local Authority.
- The Traffic Penalties Tribunal decision is final and binding on both parties but in certain circumstances a judicial challenge may be undertaken.
- To ensure that appeals are not upheld Local Authorities must have watertight cases as any element of doubt will be given to the appellant and the PCN cancelled.

7. ABBREVIATIONS

CEA	Civil Enforcement Area
CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
CPZ	Controlled Parking Zone
CV	Commercial Vehicle
DfT	Department for Transport
DVLA	Driver and Vehicle Licensing Agency
DYL	Double Yellow Lines
ECN	Excess Charge Notice
FCO	Foreign and Commonwealth Office

FPN	Fixed Penalty Notice
HA	Highways Agency
HHC	Hand Held Computer
HMSO	Her Majesty's Stationary Office
IHT	Institute of Highways and Transportation
LTP	Local Transport Plan
NoR	Notice of Rejection
NtO	Notice to Owner
NVQ	National Vocational Qualification
NWAAT	No Waiting At Any Time
P&D	Pay & Display
PCN	Penalty Charge Notice
PCSO	Police Community Support Officer
PMC	Private Motor Car
PNR	Private Non-Residential
PSV	Public Service Vehicle
RTRA 1984	Road Traffic Regulation Act 1984
SEA	Special Enforcement Area
SYL	Single Yellow Line
TEC	Traffic Enforcement Centre (Northampton County Court)
TMA 2004	Traffic Management Act 2004
TPT	Traffic Penalties Tribunal
TRO	Traffic Regulation Order
VED	Vehicle Excise Duty

Appendix 14

Removals and Clamping for Parking Contraventions

to be added when appropriate

Appendix 15**Blue Badge Enforcement Policy****1. The Blue Badge scheme – Oxfordshire Policy Statement**

The Disabled Badge Car Scheme (Blue Badge) provides a national arrangement of parking concessions for people with severe walking difficulties, who travel either as drivers or as passengers. The scheme also applies to those registered blind and people with severe upper limb disabilities who regularly drive but cannot turn a steering wheel by hand.

The national concession applies only to on-street parking and does not apply to private car parks and some hospitals.

2. Criteria for applying

You can get a badge if:

- you receive the higher rate of the mobility component of the Disability Living Allowance
- you receive a War Pensioner's Mobility Supplement
- you use a motor vehicle supplied for disabled people by a government health department
- you are registered blind
- you have a severe disability in both upper limbs, regularly drive a motor vehicle but cannot turn the steering wheel of a motor vehicle by hand even if that wheel is fitted with a turning knob, and/or
- you have a permanent and substantial disability which means you are unable to walk or have very considerable difficulty in walking. In this case you may be asked to answer a series of questions to help the local authority determine whether you are eligible for a badge.

People with a psychological disorder will not normally qualify unless their impairment causes very considerable, and not intermittent, difficulty in walking.

3. Parking information

The Blue Badge must be displayed, and in England and Wales the special blue parking disc must also be displayed showing the time of arrival. There should be an interval of at least one hour from a previous period of waiting before the same vehicle can be parked in the same road or part of a road on the same day.

Badge holders may park free of charge and without time limit in on-street limited waiting bays and 'pay-and-display' on-street parking, unless a local traffic order specifying a time limit for holders of disabled parking badges, such as a ban on loading, is in force.

Badge holders may be exempt from limits on parking times imposed on other users - check the local signs for information. Badge holders may usually park on single or double yellow lines for up to three hours in England and Wales, or without any time limit in Scotland, except where there is a ban on loading or unloading, and at a few locations where local schemes apply.

4. Disabled parking bays

Blue Badge holders may be entitled to an on-street parking bay. Although these bays are not limited to a specific individual's use, they can help make sure a parking space is available outside a person's home.

If a holder has a garage or suitable off-street parking then the application is likely to be declined.

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Division(s):

CABINET – 24 NOVEMBER 2009

OUTSIDE BODIES

Report by Assistant Head of Legal & Democratic Services

Introduction

Partnership Bodies

1. In the Summer the Cabinet approved member appointments to a variety of bodies and agreed the basis on which appointments to the respective bodies should be made. The Cabinet also agreed the governance arrangements for strategic partnerships (listed in **Annex 2.**)
2. The report agreed the membership of strategic partnerships should be linked to the role of the cabinet member not to individually named members. This report seeks the approval of Cabinet to add those bodies to the 'All Appointments' list as a separate category of 'Partnership Bodies'. It is suggested that the criteria for appointment be reviewed at the beginning of each new Council term.

Appointments to Outside Bodies

3. In accordance with the process agreed in July, Cabinet is asked to consider making appointments as set out below.

Strategic Outside Body:	Appointed in June 2009	Recommendation
South East England Councils	Councillor Robertson	Councillor Rose

Member Champion:		
Bus Champion	Councillor Marilyn Badcock	Councillor Lilley

Advice Note to Members on Outside Bodies

4. The Standards Committee at its meeting on 30 September 2009 considered a paper setting out general advice for councillors, which had been prepared by the Oxfordshire District and County Secretaries/Monitoring Officers Group, about some issues which can and do arise when councillors are appointed to serve on bodies to which the Council may traditionally make appointments. The Standards Committee recommended that Cabinet endorse the guidance, which is attached as Annex 1 to this report.

Indemnity Policy for Members

5. At the same meeting the Standards Committee also considered a report on indemnity/insurance issues for members. The Monitoring Officer had been asked to provide legal advice with regards to indemnifications provided to Members whilst they were discharging their responsibilities as Members, including acting on Outside Bodies. The Council currently has insurance arrangements for the indemnification of Members but has not taken the opportunity to extend the indemnifications that are now allowable under the Local Authorities (Indemnities for Members and Officers) Order 2004 ("the Order").
6. It was reported that Members have an increased role, responsibility and involvement not only in outsider bodies where they will be representing the County Council but there is also increased partnership working and innovation together with the new community leadership role. In addition, the standards of behaviour and conduct are now regulated by the Members Code of Conduct which is overseen by this Standards Committee.
7. Councils have a discretion in certain circumstances to provide an indemnity or insurance against Members incurring personal liability for their actions or indeed failure to act.
8. The power applies to Members whose actions or failures to act are authorised by the Council or who undertake a function at the request of, or with the approval of the Council, or for the purposes of the Council. In recognition of the wider partnership remit that Members now have, the power to indemnify or insure includes circumstances where the Member is not acting in their capacity as a Member, for example, when acting on an outside body at the request of the Council.
9. The Standards Committee approved for its part the draft indemnity for Members and agreed to recommend the Cabinet to delegate authority to the Monitoring Officer to put in place appropriate indemnity and insurance to enable members to undertake their functions.

RECOMMENDATIONS

Cabinet is RECOMMENDED to:

- (a) agree the procedure for considering appointments to strategic partnerships as set out in the report;**
- (b) agree specific appointments as set out in paragraph 4 above;**
- (c) endorse the advice note for councillors serving on outside bodies for issuing to all members appointed to outside bodies; and,**
- (d) delegate authority to the Monitoring Officer to put in place appropriate indemnity and insurance to enable members to undertake their functions.**

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Assistant Head of legal & Democratic Services

Contact Officer: Sue Whitehead. Committee Services Manager
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November 2009



**An advice note for
councillors serving
on outside organisations**

1 Introduction

This is general advice for councillors which has been prepared by the Oxfordshire District and County Secretaries/Monitoring Officers Group about some issues which can and do arise when councillors are appointed to serve on bodies to which the Council may traditionally make appointments.

The business of local government, at all levels, now includes far more partnership working, and work in the community. Councillors' representational role is enhanced and strengthened by participating in outside bodies but inevitably there will be great differences in the way these bodies work. It is not possible therefore to give exhaustive advice about every issue which a councillor may face if serving on an outside body, but this note deals with some of the most fundamental issues.

2 General background

2.1 Once councillors are elected to serve on the Council they may very well be nominated by the Council to serve on other bodies which deal with a variety of issues on a district, county or regional basis. Such bodies are many and varied: examples being community hall committees, cultural arts and sports and tourism promotional bodies, charitable bodies, voluntary and advisory organisations and bodies dealing with various major public programmes as well as bodies actually run by other public institutions.

2.2 Councillors need to understand certain ground rules as part of their take up of an appointment on an outside body:-

- it is not necessarily the case that the Council knows in detail the organisation of the outside bodies to which they appoint councillors, as these bodies are independent bodies of varied backgrounds;
- the Council will probably be only one of a number of organisations with which the body has formal contact;
- Councillors need to make themselves aware, at the time of joining a body, what they are taking on, and what the body expects of them;
- Councillors need to be aware that taking on a specific role with an outside body (e.g. chairmanship of it) may create a conflict when the Council considers matters relating to that body;
- Councillors are bound by their Council's local code of conduct when serving on an outside body *unless* it conflicts with any legal obligations arising from their membership of that body;
- there are many different forms of organisation as described above, and councillors should be aware that they are not covered by the Council's legal machinery or insurance for the activities they may become involved

in through membership of an outside body. A separate note about limitation of risk and the insurance situation is given below. (Section 5).

- generally outside bodies will be performing or facilitating public works or programmes or engaged in philanthropic activity and the competence of administration of them will vary considerably. Councillors serving on them need to be alert to problems and to seek advice about any matters which may be of concern from the Council's Monitoring Officer.

2.3 This introductory advice is not intended to dissuade councillors from participating in the valuable work of outside bodies. It is simply saying that outside bodies are very varied in their culture and operational base and the Council as such does not know enough about them to give them a seal of approval to the extent that the councillor is "fireproof" if serving as a Council nominee - checks and clarity of purpose established by the councillor are very necessary.

2.4 At the end of this advice note there are some useful contacts listed, both within and outside the Council. There are also some Do's and Don'ts which might help you when representing the Council on an outside body.

3 Types of bodies

3.1 As mentioned above organisations are many and varied. It is impossible to provide advice about every problem that may be encountered.

3.2 Broadly speaking bodies may fall into one of the following categories:-

- a formally incorporated company
e.g. South East Employers
- an unincorporated organisation
e.g. Oxfordshire Association of Local Councils
- a charitable body
e.g. Woodstock Relief in Need Charity
- partnerships/consultative groups
e.g. Oxfordshire Partnership
Oxford Airport Consultative Committee

3.3 The obligations of a councillor will vary depending upon the role taken. Again, in general, the obligations of being a director of a company, or charity trustee will be specific and more clearly defined in law than for membership of an unincorporated body. The point of councillor representation on outside bodies is to further the public interest, either locally or generally, and councillors need

to exercise their judgement in this respect whilst bearing in mind any Council objectives in having representation on the body concerned.

- 3.4 For unincorporated organisations, the rules governing the (councillors') duties and liabilities should be set out in a constitution which will govern how the organisation will operate. Quite often the constitution will provide for a management committee to be responsible for the everyday running of the organisation.**
- 3.5 There are also bodies which could be described as "consultative" or pressure groups. Membership of these bodies can bring particular problems which are discussed below.**
- 3.6 The succinct advice is to be aware of your responsibilities and ensure you take advice if necessary from the appropriate person in the organisation on which you are serving.**

4 The application of the Council's Code of Conduct

- 4.1 As indicated above, an elected councillor is bound to observe the requirements of the Council's Code when serving on another body, as well as observing the body's own code/governance guidelines which require those serving on it to conduct themselves in a certain way.**

(Note: for councillors serving on more than one authority be aware of the Code for the authority which is making the appointment).

4.2 The relevant parts of the Council's Code are:-

- Paragraph 13 - this requires councillors to register membership of, or position of general control or management in, a body to which they have been appointed or nominated by the Authority as its representative. The standard Register of Interest forms that councillors complete provides for this information to be listed.
- Paragraph 9(2) - this requires councillors serving on outside bodies, providing s/he does not have a prejudicial interest (see paragraph 4.3), to disclose to the meeting (of the Council/ its Executive/ its committees) a personal interest and nature of that interest when s/he addresses the meeting on that business.

The declaration of a personal interest would not disallow the councillor from speaking and voting on the particular issue at the meeting.

- 4.3 If a councillor considers that s/he has a prejudicial interest in an outside body to which s/he has been appointed, then the councillor should declare that s/he has a prejudicial interest and the nature of that interest as soon as the interest becomes apparent. The councillor should then leave the room **unless** members of the public are allowed to make representations, give evidence or**

answer questions about the matter. If this is the case, the councillor can also attend for that purpose. However, once the councillor's representation is made, s/he must leave the room. A councillor cannot remain in the public gallery to observe the vote on the matter. In addition, a councillor must not seek to improperly influence a decision in which s/he has a prejudicial interest. Consultation with the Council's Monitoring Officer may be required when there are circumstances which may give rise to problems in this respect.

4.4 Councillors should be aware of the above and how to interpret the Code to identify and avoid conflicts of interest. The following guidance may assist.

(a) Ordinary members of management committees (or similar)

- (i) Where Council has appointed a councillor to an outside body as a representative of the Council s/he may regard themselves as not having a prejudicial interest. It is important to remember that simply by appointing a councillor to an outside body the Council *does not* grant the person an automatic exemption from prejudicial interest in every circumstance relating to that body. For example, trustees have specific obligations to the body to which they belong; these would almost certainly amount to a prejudicial interest if a councillor were involved in discussion in a meeting of the Council (or its Executive or Committees etc.) about a grant to that body, or other matters affecting its financial or business affairs. It is therefore important that, in spite of the general rule of exemption, councillors remain alert when sensitive issues arise and seek advice where appropriate
- (ii) For councillors who are not appointed by the Council to the body the normal rules about personal and prejudicial interests apply (unless the body falls into another exemption category). This also includes councillors who have been appointed to Body A as the Council's representative and then appointed/nominated by Body A to represent it on Body B.
- (iii) Councillors should bear in mind that the terms of exception referred to in paragraph 4.4 (i) should be interpreted as implying that where a councillor is on an outside body, but not as the Council's representative, a prejudicial interest may exist.

(b) Officeholders (Chairman, Treasurer etc)

- (i) If a councillor, who is the Council's representative on a body, is approached to accept a position as an officeholder with that body, s/he should consider whether taking such a leading role is compatible with representing the Council. Part of the role of a councillor on an outside body is to liaise between the Council and that body and to report on its business and performance to the Council. To do so effectively requires a degree of impartiality from that body which holding an office may call into question.
- (ii) It may be that part of an organisation's motivation in seeking to have a councillor as an officeholder is to gain extra influence with the Council. It

is important therefore that from the start the councillor makes clear that as an officeholder the likelihood of conflicts of interest arising is significantly greater. It may indeed make the position untenable - see paragraph (iv) below. As an officeholder a councillor should normally expect to declare a personal and prejudicial interest in matters affecting the affairs of the body - not just grants, but also issues relating to planning, licensing, property etc. Regard should also be had to paragraph 6 (a) of the Code which states that a councillor must not in his official capacity, or any other circumstances, use his position as a councillor improperly to confer on or secure for themselves or any other person, an advantage or disadvantage.

- (iii) Officeholders should equally be aware of the need to be careful in avoiding conflicts of interest arising when acting in their capacity as members of an outside body because of its dealings with the Council. This could come from individual cases or from more significant policy and financial aspects of the relationship between the body and the Council. Some bodies may themselves have governance arrangements designed to regulate ethical standards.
- (iv) It is important to avoid any perception of impropriety. The potential for incompatibility between a councillor's role as an officeholder on an outside body and membership of the Council will be influenced by a number of factors, such as
 - the degree to which the body is dependent on the Council for financial or other support, and the scale of that support
 - the general nature of the relationship between the Council and the body
 - the real or perceived influence the councillor may be able to exert over the Council - for example, is s/he a member of the Executive or is s/he "high profile" in some other way? Would a decision contrary to his/her point of view either by the Council or by the management committee of the outside body be perceived as politically embarrassing?
 - Would the Council be perceived as seeking to exercise undue influence over the body, or vice versa?
- (v) Such considerations will apply to all councillors who hold office, whether or not they have been appointed to the body by the Council.

5 Indemnities: general

- 5.1 Within this note specific advice is given, in the relevant sections, about the need for insurance cover to be available through the body on which the councillor serves.
- 5.2 The general ability of the Council to provide an overall indemnity for councillors serving on outside bodies is still not entirely clear in law but, for the purpose of this advice note, bodies that are independent of the Council and on which councillors may serve are the source through which insurance should be

available. These bodies will have a variety of people serving on them, other than members of councils - it is for the body to see to it, as far as they are able within their powers, that their representatives are covered by insurance.

- 5.3 The ability of local authorities to indemnify councillors and officers for any *personal liability* arising from actions or decisions taken by them in the course of their official duties is covered under the Local Authorities (Indemnities for Members and Officers) Order 2004.

The scope of the order can be summarised as follows:

- (a) Where the councillor is carrying out any function which is at the request of, with the approval of or for the purposes of, the Authority.
- (b) Where the councillor is carrying out any function which is at the request of, with the approval of the Authority but acting in capacities other than a councillor of the Authority.
- (c) Where the action or inaction complained of falls outside the powers of the Authority itself or outside the powers of a councillor individually (*ultra vires*), provided the officer or member reasonably believed the matter was not outside those powers.
- (d) Where a councillor makes a statement that certain steps have been taken or requirements fulfilled, but it later becomes clear that this is not the case. Again, the officer or member indemnified must reasonably believe that the statement was true when it was made.

- 5.4 Outside the scope of the power to indemnify are the following circumstances:

- (a) criminal acts
- (b) any other intentional wrongdoing
- (c) fraud
- (d) recklessness
- (e) defamation (but not the defence of an accusation)

6 Guidance about serving on particular bodies

6.1 Companies

There is a considerable body of law concerning the duties of those who may run companies i.e. directors. There are rules in the Local Government and Housing Act 1989 concerning Council involvement in companies. Because the legal implications and rules are extensive, and councillors' involvement with companies is on the increase, separate guidance is given to councillors who may serve in such capacity, through an Appendix to this note.

6.2 Unincorporated organisations (management committees)

(a) general status

Groups that are not charitable trusts or limited companies are "unincorporated associations" and have no separate legal identity from their members. The rules governing the members' duties and liability should be set out in a

constitution, which is simply an agreement between the members as to how the organisation will operate. Usually, the constitution will provide for a management committee to be responsible for the everyday running of the organisation. An unincorporated organisation may be charitable and may register as a charity.

Property will have to be held by individuals as the organisation has no existence of its own.

(b) duties

Broadly, Management Committee councillors must act within the constitution (of the unincorporated organisation), and must take reasonable care in exercising their powers.

(c) liabilities

- (i) Generally, Management Committee members are liable for the acts of the organisation, but are entitled to an indemnity from the funds of the organisation if they have acted properly. If there is no insurance cover from the organisation, the Management Committee members are personally liable for the shortfall.
- (ii) If one person is appointed by the constitution to act as the agent of the organisation for certain purposes, then that person acts as the agent of all the members, who have joint liability for the agent's actions.
- (iii) Members of the Management Committee will have personal liability if they act outside the authority given to them or if they do not comply with statute e.g. the payment of employees' tax etc.

(d) indemnities

Councillors will be entitled to an indemnity if they act in accordance with the constitution and are not at fault provided the body concerned has obtained insurance, but if the organisation is to pay the premium it must be permitted by the constitution. The necessary insurance policy would need to be renewed otherwise it would become invalid. Councillors would then not be covered.

6.3 Charities

(a) general status

- (i) To be a charity, an organisation must operate for a charitable purpose of which there are four:
 - the relief of poverty and human suffering
 - the advancement of education
 - the advancement of religion
 - another purpose for the benefit of the community

- (ii) It must operate for the public benefit and have exclusively charitable purposes. An organisation which operates for political purposes will not qualify for charitable status.
- (iii) To register as a charity the organisation must submit its Trust Deed (usually the Memorandum and Articles of Association of a company limited by guarantee) to the Charity Commissioners for approval. If they are satisfied that the organisation is charitable it will be registered as such.
- (iv) Those who are responsible for the control and administration of a charity are referred to as its *trustees*, even where the organisation is a company limited by guarantee and even though they are not strictly trustees. Trustees of a charity retain personal liability and can only delegate it if the trust authorises them so to do.

(b) trustees' duties

- (i) Trustees must take care to act in accordance with the Trust Deed and to protect the charity's assets.
- (ii) Trustees must **not** make a private profit from their position. They must also perform their duty with the standard of care which an ordinary, prudent business person would show. Higher standards are required of professionals and in relation to investment matters.
- (iii) Charity trustees need to have regard to the requirements of the Charities Acts and to ensure that the requirements of the Charity Commissioners are met. Advice and guidance on these details would normally be available from the administrator of the Trust. There are leaflets available from the Charity Commissioners about various aspects of running a charity. These should be obtainable from the administrator of the Trust.

(c) trustees' personal liability

- (i) If in doubt, always consult the person who is responsible for the administration of the charity but ultimately you should consult the Charity Commissioners. Contact details are at the end of this note. A trustee who does so should avoid personal liability for breach of trust if they act in accordance with the advice given.
- (ii) Generally though a trustee incurs personal liability if they:
 - act outside the scope of the trust deed
 - fall below the required standard of care
 - make a personal profit from the trust assets
- (iii) In such circumstances the trustee will incur personal liability for losses incurred.

- (iv) Trustees can be liable personally to third parties because unlike a company, a trust has no separate identity from the trustees. Trustees are, however, entitled to an indemnity from the trust assets, provided they act properly in incurring the liability. Trustees remain personally liable once they retire (e.g. if they have entered into a contract on behalf of the trust) and should therefore seek an indemnity from their successors. If the charity is a company, however, the trustees for the time being will be responsible.
- (v) Trustees may be liable to fines if they do not comply with the duty to make returns etc.

(d) Indemnities

An indemnity can be given from the trust fund provided the trustee has acted properly and within his/her powers. Trustees may take out insurance to protect themselves against personal liability but not for criminal acts, fraud etc. There will be no problem if the trustees themselves pay the premiums but if they are paid out of the charitable funds, the trustees will need the consent of the Charity Commissioners unless the trust deed allows it. Again any insurance policy should be kept in force by ensuring renewal premiums are paid.

6.4 Consultative/advisory bodies/pressure groups

- (a) Difficulty can arise where a councillor serving on a particular body champions a cause being promoted by that body or has been closely involved in formulating advice or preparing an application for assistance in some form which is required from the Council. In such circumstances the councillor should be aware that it will be necessary to consider their position if and when the matter comes before the Council.
- (b) A councillor who has led an outside body to formulate advice for a Council may very well be deemed to show bias or a closed mind in such circumstances and quite apart from any considerations under the Code of Conduct may not be able to participate in discussion and voting at the Council, as they are not able to exercise their judgement in the wider public interest.
- (c) Examples of close involvement on issues coming before the Council and arising through membership of these types of bodies could occur through membership of historical or civic societies, or local arms of national organisations like Friends of the Earth.

6.5 Partnerships

- (a) Today, within the public sector, bodies are formed which can be described as *partnerships*. These can involve local authorities with other public sector bodies or sections of other public sector bodies in dealing with specific issues. These partnerships can range from informal groups where each organisation's representative comes to the group with a defined purpose/supply of resources from his/her organisation to contribute to the

achievement of a particular programme of events, to more formal arrangements where a legal agreement is entered into between all the parties as to what the object of the partnership is and what the obligations/inputs will be from the partners (for example the Oxfordshire Waste Partnership).

- (b) In the former case the representatives on the partnership steering group or “committee” should act within the scope of the authority given to them by their Council, which on occasions may need to be clarified when the agenda for the partnership meetings is prepared. In the latter case, the legal agreement should set out the rights and obligations of the partners and the representative will need to be familiar with these requirements. It is likely that in these circumstances the Council’s legal officer will have drafted, or approved, an agreement to regulate the arrangements in accordance with the Council’s decision to be involved.

7 Reporting back

- 7.1 The Council requires reports back from councillors at least once per year on outside body activity. This is to help in monitoring the value of representation, any particular problems encountered, and to keep the Council aware of any relevant activities of the body during the year.
- 7.2 Councillors should report back annually via [the Weekly Information Sheet]. Reports should be sent to an officer in Democratic Services. The system of annual reporting does not mean a councillor should not report back after each meeting, if there are reasons to make the Council aware of a particular issue.

8 Data protection

- 8.1 It is possible that through representation on an outside body you will process personal data that belongs to the body. If you do this you will need to ensure with the body whether you need to be part of the body’s notified arrangements to the Information Commissioner for processing the data.

(Processing data means doing anything with it from obtaining it, working with it to destroying it.)

9 Some final thoughts

- 9.1 The way local government operates increasingly involves councillors participating in the affairs of other organisations. These organisations may be close partners of the Council helping to deliver services or they may be more distant bodies carrying out some particular role within a local community. It is an important part of local governance that councillors should feel able to participate in such bodies if they wish or if the Council feels it is beneficial. Some help can be available to councillors to enable them to carry out their tasks on bodies in which they may take an interest but the bottom line is that the organisations are separate from the Council and the councillor must act in accordance with the interests of the organisation.

- 9.2 In considering matters before the body, the councillor can take account of any of the Council's objectives but cannot be bound by the Council to vote one way or the other on a particular matter. The overriding duty is to vote in accordance with the interests of that organisation.
- 9.3 Councillors should always be clear about their role on the organisation. In the most basic cases, a councillor may well be a representative on the body simply to render general help and advice - or to help in specific circumstances. In such cases there should be few issues arising. If a councillor's role expands then, as set out elsewhere in this note, advice may need to be sought about possible conflict of interest, particularly of the councillor who holds a specific office on the District Council e.g. member of the Executive or Committee Chairman.
- 9.4 If you are at all concerned by the administration or management of a body that you have been appointed to, in the first instance you should raise the matter with the person who appears to you to be managing the organisation. If there are matters which might concern the Council you can raise the matter with the Council's responsible officer for outside body nominations - the Head of Legal and Democratic Services. It may not be possible for the Council to resolve the issues but the Council may then be able to consider whether continued representation on the body is justified or desirable.

DO's and DON'T's

Do

- Make sure you understand from the body on which you represent the Council what they expect of you (i.e. a clear relationship statement).
- Obtain any written information from the body such as their constitution, objectives/powers and duties summary accounts etc. to help you do your job properly.
- Seek assurances and evidence about insurance to minimise/eliminate any personal liability you might incur.
- Ensure you receive proper notification of meetings of the body and look at the records of meetings they produce.
- Act in the best interests of the body.
- Liaise with the Council on any issues which concern the body - but not so as to infringe any provision of the Code of Conduct.
- Report back to the Council on activities of the body - either annually or after a particular meeting if necessary.
- Raise any issues of general administration of the body with the identified contact person in the organisation.
- If you have concerns which you feel you cannot raise with the body, report to the Council's appropriate Officer.

Do Not

- Breach the Council's Code of Conduct requirements.
- Take on an officeholder's post in the organisation without considering the implications for the Council and your elected councillor responsibilities.
- Vote on any issues in the organisation other than in the best interests of the organisation.
- Agree to act as a 'go-between' with the Council on any issue which may cause a conflict of interest.
- Fail to keep yourself briefed of matters taking place within the organisation.

Useful Contacts

Charity Commission, PO Box 922, Liverpool L69 3WP; Tel. No. 0870 333 0123
website www.charitycommission.gov.uk

National Council for Voluntary Organisations, Regents Wharf, All Saints Street,
London N1; Tel. No. 020 7713 6161

Community Matters, 8-9 Upper Street, London N1 0PQ; Tel. No. 0171 226 0189
(specialise in advice about Community Associations)

Oxfordshire Rural Community Council, Jericho Farm, Worton, Witney OX29 4JZ
Tel. No. 01865 883488
(advice can be obtained about village hall arrangements)

ADVICE TO COUNCILLORS REGARDING COMPANIES

1 Companies

- 1.1 Sometimes a councillor will find they have been nominated to serve on an outside body which is a registered company. If so, the following advice is relevant.
- 1.2 On incorporation a company becomes a separate legal entity which can hold property in its own right, enter into contracts and sue and be sued in its own name. The company is distinct from its shareholders and members. In the case of a limited liability company, the liability of members of the company is limited to the amount they paid or agreed to pay when they joined the company. This can be as little as £1.
- 1.3 Companies limited by shares are those which have a share capital (e.g. 1,000 shares of £1 each). Each member holds shares and receives a share in the profits made by the company according to the value of the shares held. Shares can be sold. Companies limited by guarantee are those where there is no shareholding. Instead each member agrees that in the event of the company being wound up they will agree to pay a certain amount. This may also be as little as £1. This form of company is the most usual in the public and voluntary sector particularly where charitable status is sought.
- 1.4 The management of a company is generally the responsibility of a board of directors. The powers of the directors are usually set out in the company's Articles of Association (the rules each company has to govern its internal management). Sometimes even though a company has been incorporated the directors may be referred to as members of the committee of management, governors or even trustees. However, this does not change their status as directors. Conversely, sometimes officials are called directors but they are not members of the board. Again their status will not be affected. Directors are those who are appointed by the company to act in that capacity.

2 Directors' duties

- 2.1 A director is an agent of the company. His/her prime duties are as follows:-
 - (a) **A fiduciary duty** to the company (not individual shareholders) to act honestly and in good faith and in the best interests of the company as a whole. Directors are therefore in the position of "quasi trustees" who must take proper care of the assets of the company. The fiduciary duty of the director towards the company is very similar to the fiduciary duty of councillors to Council Tax payers.
 - (b) **A general duty of care and skill** to the company but a director requires no greater skill than might reasonably be expected of someone of that individual's particular knowledge and experience. A director is not

deemed to be an expert, but is expected to use diligence and to obtain expert advice if necessary.

- (c) Like a councillor in respect of Council decisions, the director is under a duty **to exercise independent judgement**, though it is permissible for him/her to take account of the interests of a third party that s/he represents. In such a case the director must disclose that position and treads a fine line between the interests of the company and the party represented (in this case the Council). The director cannot vote simply in accordance with the Council mandate. To do so would be a breach of duty.
- (d) **No conflict.** There may be actual or potential conflicts between the interests of the Council and the interests of the company. In such circumstances, the only proper way for the conflict to be resolved is for the councillor to resign either from the company or from the Council.
- (e) Directors are **not allowed to make a private profit** from their position. They must, therefore, disclose any interests they or their family may have in relation to the company's contracts. Whether they are then allowed to vote will depend on the Articles of Association.
- (f) Directors must **ensure compliance with the Companies Acts** in relation to the keeping of accounts and ensuring that the relevant returns are made to the Registrar of Companies. Failure to do so incurs fines and persistent default can lead to disqualification as a director.

3 Directors' liabilities

- 3.1 The company's identity must clearly be shown on its stationery. The company number, place of registration, registered office address and if any of the directors' names are shown then they must all appear. Non-compliance is an offence and the directors and company officers can be fined.
- 3.2 A company can only act within the scope set out in its Memorandum of Association (the document which sets out the objects of the company). Those directors knowingly causing the company to act beyond the activities set out in the Memorandum will be liable personally. In very limited circumstances it is possible for the actions of the directors to be ratified by the members of the company.
- 3.3 A director may also be liable for breach of trust if they misapply the money or property of the company. Directors may also be liable if they fail to take action to prevent breach by a co-director of which they are aware.
- 3.4 In the event of failure to act in accordance with the best interests of the company, or if a director uses their powers improperly or makes a personal profit from their position as director, then the director may be personally liable for loss to the company and may be required to give to the company any personal profit made.

- 3.5 If the level of skill and care shown by a director falls below that which could be reasonably expected and the company suffers loss, the director will be liable for the loss incurred. However, if it believes the director acted honestly and reasonably, a Court may excuse the director the liability.
- 3.6 If a director knows or ought to know that there is no reasonable prospect of the company avoiding liquidation, a Court may require that director to contribute to the company's assets on liquidation if the company continues to trade. This is known as wrongful trading. No such order will be made if the Court is satisfied that the director took all reasonable steps to minimise the loss to the creditors. If a director has concerns about the company's financial position they could be well advised to inform the other directors and seek advice from the company auditors. They should try to ensure that further debts are not incurred.
- 3.7 A director will also be liable if, to their knowledge, the company carries on business with intent to defraud creditors or any other person or for any other fraudulent purpose. Fraudulent trading can also lead to disqualification from acting as a director.
- 3.8 All cheques and similar documents which purport to be signed on behalf of the company must bear the company name. Where they do not, the director signing on behalf of the company may be liable to a fine and may also be liable to the payee if the company fails to honour the cheque. It is, therefore, wise for directors to make sure that all documents they sign on behalf of the company state very clearly that they act as agent for the company, (e.g. Director, for and on behalf of)
- 3.9 A third party who enters into a contract, on the assumption that a director had power to bind the company, may be able to claim damages against the director if it subsequently transpires that the director had no such power. Directors would be well advised to ensure that contracts are approved by the board and that the authority to enter into any contract has been properly delegated before signing it.
- 3.10 Though company liability ceases on dissolution, the liability of the directors (if any) may still be enforced after dissolution.

4 Indemnities

- 4.1 Directors cannot be indemnified against liability arising out of negligence, default, or breach of duty or trust. However, the company's Articles of Association may allow for directors to be indemnified by the company in respect of the cost of defending such proceedings if the director is granted relief by the Court or acquitted. **It is lawful for companies to purchase insurance to protect its directors against claims of negligence, breach of duty, trust, and default. Directors would be well advised to ensure that such a policy of insurance is maintained at all times.**
- 4.2 **It is not possible for the Council to provide indemnities or insurance for councillors acting as directors.**

5 Local Authorities (Companies) Order 1995

- 5.1 This Order, made under the Secretary of State's powers contained in Part V of the Local Government and Housing Act, 1989 sets out rules concerning local authorities' involvement in "regulated companies" which are subject to extensive controls, and their involvement in other companies where a number of rules apply.
- 5.2 "Regulated companies" are so defined if they are controlled or influenced by the local authority. "Influenced companies", under the effective control of the local authority, will be subject to the capital controls regime and special property controls. In broad terms, the test as to whether companies are local authority influenced is whether the local authority has the right to, or in fact does, exercise a dominant influence of the company in question.
- 5.3 The original concept of controlled, influenced and minority interests in companies was introduced by the 1989 Act. "Influenced" means at least 20 per cent local authority interest plus a business relationship with the company accounting for over 50 per cent of the company's turnover and/or the company was located on local authority land leased or sold for less than best consideration. "Controlled" means over 50 per cent local authority interests, and "minority" less than 20 per cent interest. The concept in the 1989 Act continues, but the 1995 Order introduced the term "regulated".
- 5.4 Councillors who are directors of outside companies to which they have been nominated by the Council are under the following obligations:
- (a) the remuneration they receive from the company should not exceed that received from a local authority, and should be declared;
 - (b) to give information to councillors about their activities as required by the local authority (save for confidential information); and
 - (c) to cease to be a director immediately upon disqualification as a councillor.

Councillors should be alert to the demands of being a Director of a company if they are invited to serve in that capacity on a body which is a registered company.

ANNEX 2**List of Thematic Partnerships**

Thematic Partnerships – responsible for the following areas of focus and reporting to the Public Service Board on partnership targets:

1. **Spatial Planning and Infrastructure Partnership** – a new partnership that develops the role of the Central Oxfordshire Member Steering Group as a strategic county-wide partnership including housing development, access/transport and commissioning economic strategy and assessments. The Housing Partnership will report to this partnership.
2. **Environment and Waste Partnership** – a strategic partnership combining existing waste and environment partnerships with oversight of delivery groups for waste, clean and green, climate change, flooding and biodiversity.
3. **Children's' Trust.**
4. **Health and Well Being Partnership.**
5. **Safer Communities Partnership.**
6. **Oxfordshire Economic Partnership.**
7. **Stronger Communities Partnership** – developing the existing role of the Oxfordshire Voluntary Sector Development Partnership as an independent strategic partnership for the voluntary, community and faith sectors.

Thematic partnerships may also perform other roles including satisfying statutory requirements (for example, the Children's Trust) and management of contractual arrangements (for example, waste) between organisations. Partnerships will not be responsible to the Public Service Board for these functions, which will be overseen by the relevant accountable bodies.

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Division(s): N/A

CABINET – 24 NOVEMBER 2009

FORWARD PLAN AND FUTURE BUSINESS

Items identified from the Forward Plan for Forthcoming Decision

Topic/Decision	Portfolio/Ref
Full Cabinet – 15 December 2009	
<ul style="list-style-type: none"> ▪ Oxfordshire Children and Young People's Plan 2010-13 To approve the draft Plan 	Children, Young People & Families and Schools Improvement 2009/172
<ul style="list-style-type: none"> ▪ Establishment Review - December 2009 Quarterly staffing report, with analysis of main changes since the previous report and including a progress report on the Establishment Review 	Deputy Leader of the Council 2009/134
<ul style="list-style-type: none"> ▪ Member Champions To consider appointments of member champions for place/locality 	Leader of the Council 2009/219
<ul style="list-style-type: none"> ▪ Financial Monitoring - December 2009 Monthly financial report on revenue and capital spending against budget allocations, including virements between budget heads 	Leader of the Council 2009/110
<ul style="list-style-type: none"> ▪ Service & Resource Planning Report for 2010/11 - 2014/15 To provide an update on the service and resource planning process for 2010/11-2014/15 	Leader of the Council 2009/136
<ul style="list-style-type: none"> ▪ Closer to Communities – Actions to Further Develop Corporate and Service Engagement in Localities and Priority Places To approve the recommendations for making progress on locality arrangements 	Leader of the Council 2009/198
<ul style="list-style-type: none"> ▪ Performance Management: 2nd Quarter Progress Report Against Priorities and Targets Quarterly Performance Monitoring Report 	Leader of the Council, Deputy Leader of the Council 2009/133
<ul style="list-style-type: none"> ▪ Building Schools for the Future To set out the Building Schools for the Future model and its implications for the Council 	Leader of the Council, Deputy Leader of the Council 2009/183

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| <ul style="list-style-type: none"> ▪ Oxford School
To receive a report on progress with developments in relation to Oxford School and to take such decisions as necessary ▪ Wood Farm Primary School
To consider the expansion of Wood Farm Primary School and approve issue of statutory notice if objections received | Schools Improvement
2009/095

Schools Improvement
2009/188 |
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Cabinet Member for Children, Young People & Families - 1 December 2009

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| <ul style="list-style-type: none"> ▪ Chill Out Fund 2009/10
To consider applications received (if any) from the Chill Out Fund. | 2009/057 |
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Cabinet Member for Schools Improvement – 1 December 2009

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| <ul style="list-style-type: none"> ▪ Fitzwaryn School, Wantage – Phase 2 Modernisation and Permanent Post-16 Provision
To consider a project appraisal for modernisation of the existing accommodation and for the construction of new post-16 accommodation. ▪ Wood Farm Primary School
To consider the expansion of Wood Farm Primary School and approve issue of statutory notice if no objections received | 2009/099

2009/187 |
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Cabinet Member for Adult Services - 11 December 2009

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| <ul style="list-style-type: none"> ▪ Governance of Supporting People in the Light of New Oxfordshire Partnership Arrangements
To consider changes to the Memorandum of Understanding relating to the Supporting People programme | 2009/140 |
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Democratic Services

November 2009

Cabinet 24 November 2009
Delegated Powers of the Chief Executive

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reason for Urgency</i>
2/4/09	Provision to Oxford Academy of administrative and professional support for exclusion appeal panel hearings	(i) Provision approved and (ii) authorised officers to enter into a legal agreement to that effect with the Governing Body of Oxford Academy	To meet the timescales for hearing an appeal received by The Oxford Academy against the Governing Body's decision not to reinstate a pupil.
16/4/09	Wootton Children's Centre	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To make most effective use of contractors on site.
16/4/09	Treatment of Food and Garden Waste	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To put in place short term arrangements for the processing of food waste to ensure that all food waste collected is actually processed.
29/5/09	Faringdon Youth Centre	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To respond to the voluntary liquidation of a contractor.
15/7/09	Bus Subsidy Contract No. 022	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To meet the timescales for a replacement contract.
15/7/09	Transform Oxford – Proposed changes to	Proposed changes approved for implementation.	To fit in with the timescales of the wider Transform Oxford programme: The

	waiting restrictions and parking restrictions in High Street		changes to the waiting and parking restrictions were an integral part of the relocation of bus services from Queen Street.
10/8/09	Mental Health, Therapy and Nursing Services	Approved exemptions from the full tendering requirements of the Council's Contract Procedure Rules.	Exemptions for Adult Services are usually sought from the Chief Executive rather than Cabinet provided the legal and financial appraisals are in place.